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A

HISTORY OF THE CHURCH

TRANSLATED FROM THE GERMAN

OF THE

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INTRODUCTION.

The present volume will conduct us to the commencement of that eventful period—the Reformation. To the learned reader, many things may appear wanting in this volume. He will perhaps express his surprise at finding no mention made of the institution of those Religious Orders which have given to the world so many great men—seraphic saints, eloquent preachers of the word of God, profound theologians, learned philosophers—men great in every way of which our nature may be proud. He will wonder, too, that he reads nothing of those heresies which, during the period comprised in this volume, troubled the peace of the Church, and prepared the way for that mighty revolution which has laid so many, before beautiful, regions spiritually waste. But it must be remembered that only the External History of the Church is here given. The succeeding volume, which is not yet published in the original German, will, it is confidently trusted, more than satisfy those who favour this work with their perusal, on the subjects which may at first appear to have been omitted. The next volume will contain the Internal History of the Church during the Middle Ages, and, from the sources that have been opened by the laborious industry of the learned author, much light will be thrown on this most interesting portion of Ecclesiastical History.

St Edmund's College,
Feast of St. Norbert, Bishop.
1842.

HISTORY OF THE CHURCH.

PERIOD THE FOURTH.

CHAPTER THE THIRD.

FROM HONORIUS II TO THE DEATH OF HONORIUS III.

FROM 1124 TO 1227.

SECT. I.—HONORIUS II.—INNOCENT II.—SCHISM.—LUCIUS II.—EUGENE III.—ADRIAN IV.*

AFTER the death of Calixtus II, in 1124, the choice of the electors fell first upon the cardinal Teobaldo Bocca di Pecora; but the powerful Robert Frangipani immediately proclaimed Lambert, bishop of Ostia. Many favoured his interests, and as Teobaldo retired, Lambert was universally recognized. After a few days, however, he submitted to a second election, the first having been irregular, and he then took the name of Honorius II. His legate, the cardinal Gerhard, after the death of the childless Henry V, in 1125, took an active part in the election of Lothaire the Saxon, at Mentz. Gerhard went with the bishops of Cambray and Verdun, as ambassadors of the king, to obtain from

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* Arnulphi Sagiensis Archidiaconi Tract de Schismate Petri Leonis, in Muratori, tom. iii. 1; Falconis Beneventani Chronicon, in Muratori, tom. ii.; Joh. de Ceccano, Chronicon Fossæ Novæ, in Muratori, tom. vii.; Anacleti Epistolæ, in the Recueil des Historiens des Gaules, tom. xv. 366; Epistola Reimbaldi Leod. Canonici, De Schismate, ibid. 366; Epistolæ Innocentii II ad Germanos, in the Codex Udalrici in Eccard. Corp. Histor., tom. ii.; Sti. Bernardi, Abbatis Claræ-Vall. Epistolæ ed. Mabillon, Opp., tom. i.; Sti. Bernardi Libri V, De Consideratione ad Eugenium Papam, ibid.

the pope a confirmation of the election. Lothaire, on the day of his election, made a grant, by which the freedom of election, which had been secured to the Church in the treaty of Worms, was increased and strengthened. The election of bishops was no more to take place in the presence of the king: the king should not confine this liberty either by intimidation or by signifying to the electors his inclinations in favour of any individual. Lothaire required from the prelates only the oath of fidelity, and dispensed with the homage. When some time after, Conrad, of the family of Hohenstaufen, the nephew of Henry V, made pretensions to the kingdom, Honorius, following the example of the German prelates, excommunicated him in 1128. He deposed, by his legate the cardinal John of Crema, Anselm archbishop of Milan, who had crowned Conrad at Monza, king of Italy.

When in 1130, a successor to Honorius II was to be elected, a schism burst forth, which was most prejudicial to the Church. Amongst the cardinals was Pier Leone, of a family, which, next to that of the Frangipani, was the richest and the most powerful in Rome. But his overbearing ambition, his ostentatious, and, according to some witnesses, his criminal life, found not favour with those who cherished the interests of the Church. They therefore elected in haste the cardinal Gregory Papareschi, who took the name of Innocent II. Pier Leone, confiding in the influence of his family and the devotedness of his numerous adherents, caused himself to be elected, with the title of Anaclete. Innocent was favoured by the Frangipani, and three cardinals, who had taken part in the election of the antipope, passed over to him. But by rich bribes, Pier Leone gained to himself nearly the whole of Rome: Innocent was compelled to leave the city, and proceeded with his cardinals into France. In a great synod at Etamps he was declared by the oracle of the French Church, the holy Bernard, in whose hands the bishops had placed the decision, to be the lawful pontiff. He was soon afterwards recognized by England and Spain, and, with the

exception of Milan, by the principal Churches of Italy. The antipope had in his interests Rome and the Normans, whom he gained by raising Roger, duke of Apulia, Calabria and Sicily, to the rank of king, reserving, however, the fealty, which was due to the Roman see. By the untiring exertions of Saint Bernard, Innocent was almost universally acknowledged: the religious orders, and Cluny in particular, were in his favour. When in 1131, he went to Liege, at the invitation of the Germans, he was received in the most solemn manner by Lothaire and by many bishops and princes. The king held the bridle of his horse. When Innocent afterwards assembled a great council of two hundred and seventy-six bishops at Rheims, Lothaire sent Norbert, archbishop of Magdeburg, to inform the pontiff that he would reinstate him again at Rome. The journey of the pope and of the king to Rome was accomplished in the following year, and on the 4th of June, Lothaire received from the pope the crown of the empire. Pier Leone in the mean time retained possession of the Vatican and of the castle of St. Angelo. Innocent now arranged with the emperor concerning the allodial possessions, which the margravine Matilda had presented to the papal see. He granted first to the emperor, and afterwards, at the request of Lothaire, to his son-in-law, Henry, duke of Bavaria, the investiture of these lands, which comprised a part of the dukedom of Mantua, Parma, Reggio, Modena and Garfagana, but retained for himself the feudal dominion over them with a yearly tribute, and the reversion of them to the Roman see after the death of the duke. Soon after this time, the pope invested the margrave Engelbert with the dominion of Tuscany.

Innocent, who after the departure of Lothaire, was not secure at Rome, assembled in 1134, a synod at Pisa, of which council Saint Bernard was the animating soul. The Milanese now submitted to the pope: other Italian bishops, who supported the antipope, were deposed. In 1136, at the earnest invitation of the pope, who was oppressed by the power of Roger, Lothaire went again

into Italy. Together with him, Innocent invested the count Rainulf, as duke of Apulia and Calabria, and returned in 1127 again to Rome, where the antipope had fallen into a state of melancholy insignificance. Lothaire, the powerful defender of the pope, died soon after his return into Germany: but the eloquence of St. Bernard had already induced king Roger, the chief promoter of the schism, to declare himself neutral, when in 1183 the death of the antipope facilitated the full restoration of peace; for the successor to Anaclete, whom a small party elected with the name of Victor IV, persuaded by St. Bernard, submitted to the pope, and drew with him all his adherents. At the intercession of the holy abbot he easily obtained forgiveness. In 1139 Innocent held at Rome the tenth general council, at which were present nearly one thousand bishops. In this council he deposed those who had been raised to ecclesiastical dignities by Pier Leone and his adherent Gerhard, bishop of Angouleme: he also pronounced excommunication against Roger. But a short time after, he fell into the power of this prince, who after the death of Rainulf had again possessed himself of Apulia. Peace was now concluded between them. Roger took the oath of fealty to the pope and pledged himself to pay a yearly tribute. Innocent absolved him from his censures, granted him the title of king, and invested him with the dukedom of Apulia, and the principality of Capua.

That spirit of independence, which had shown itself in most of the Italian cities and which had been nourished by the preaching of Arnold of Brescia, had now seized the Romans. In 1143 they threw off their civil obedience to the pope and elected a new senate. Innocent died at this moment. His successor, Celestine II, survived his election only a few months. The cardinal Gerhard, chancellor of the Roman Church, was elected in 1144 with the title of Lucius. But the Romans, enraged that the pope should have entered into an union with the Normans, and should have recognized their prince Roger as king, changed their dreams of a republic into the design of an empire, the capital of which

was to be their own city, as ancient Rome had been of the ancient empire. They elected a brother of the late antipope, Pier Leone, as patrician, and required the pontiff to resign to him all the regalia of the state. Lucius endeavoured to seize by force the capitol, in which the new senate held its sittings, but he was wounded by a stone and died in the eleventh month of his pontificate. He was succeeded by Bernard of Pisa, a disciple of St. Bernard, formerly a monk of Clairvaux and now abbot of the cloister of St. Anastasius at Rome. The new pontiff took the name of Eugene III. Arnold now appeared again at Rome. This man, a lector of the church of Brescia, and who had been a disciple of Abailard in France, had for seven years preached in the Lombard cities the doctrine, welcome to many, that no ecclesiastic who possessed property could be saved. The bishops, he asserted, could not lawfully hold regalia, nor could cloisters receive worldly possessions: these things belonged to temporal princes who could use them for their own benefit and grant them only to laics. Appearing in the habit of a monk, and directing his well-pointed speeches against the manners of the clergy and regulars, he flattered the people and earned for himself a cheap popularity: for the doctrine that every one, who coveted the property of another, and who possessed the power to plunder churches and ecclesiastics, with the persuasion that he was performing a good work to those whom he despoiled, must have found general acceptance. Innocent II had imposed silence upon Arnold in the Lateran council in 1139; but he passed over the Alps to Zurich and had spread his doctrines there with a rapid success. Under his influence the greatest excesses of violence and plunder were now committed in Rome by a wild and unbridled populace. An invitation from "the senate and people of Rome" was sent to the German king Conrad, soliciting him to place his imperial throne amongst them, and, as every impediment on the side of the clergy was removed (by the absence of the pope), to rule from Rome over Italy and Germany. Conrad yielded not to this

proposition, as he easily saw through its self-interested view : he rather made advances to the pope, whose embassy he received with honour and to which he replied by another sent to the pontiff.

After a short time, as a reconciliation, which had been effected, was annulled by the haughtiness of the Romans, Eugene left the city in 1146 and proceeded to France. In 1148, he returned into Italy, but there still reigned in Rome, with a few intervals caused by the dread in the Romans of the Norman arms, a spirit of haughty and republican independence. Conrad died in the mean time in Germany, amidst his preparations for an expedition into Italy. The ambassadors of the new king, Frederic I, presented letters from him to the pope, containing assurances that he would accomplish all that his uncle Conrad had intended and had commenced for the freedom and exaltation of the Apostolic see, and that he would consider as his own the enemies of the Church of Rome. In a short time the pontiff returned to Rome and was received by the Romans, who had been satiated with their anarchical confusion, with every demonstration of honour and respect. In 1153, the plenipotentiaries of the pope and of the king concluded a treaty at Constance, by which Frederic bound himself to restore the former power of the pope in Rome, to protect the regalia of St. Peter, and to enter upon no peace with Roger, king of Sicily, without the consent of the pope. Eugene engaged, on his part, to honour the king as the dearest son of St. Peter, to bestow upon him the imperial crown as soon as he should arrive in Rome, and to employ against every enemy of the empire, at the request of the emperor, ecclesiastical punishments and even excommunication.

Between the years 1148 and 1152, at the prayer of the pope, St. Bernard wrote his celebrated work in five books, " On Consideration," an instruction for the pious performance of his pontifical duties. The holy writer exhorts the pontiff not to lose his precious time in hearing the numberless cases which ambitious and avaricious men would lay before him, concerning benefices

and other similar things. In words of severity he reprehends the insatiable avarice of the Italians, and in particular of the Romans, and confirms the accusations so frequently made by other cotemporaries, that the Roman clergy were accessible to presents and bribes and were much given to external splendour, to ecclesiastical pomp and magnificence. He next exhorts the pontiff to correct the use of appeals, which were often made only to confine the bishops in the salutary exercise of their jurisdiction, and to annul the too numerous exemptions of bishops from the authority of their metropolitans, and of abbots from the jurisdiction of bishops. He paints in strong colours the haughtiness and the restless spirit of insurrection which inflamed the Roman people, who would yield to authority only when their means of opposition were exhausted. The pope should take his cardinals from all parts of the Church, and select his legates with the greatest caution, as many of them had by their avarice and by plundering the churches and cloisters degraded their high office. Unhappily, both the author and he for whom the book had been written died soon after its completion, in the summer of 1153.

The successor of Eugene, Conrad the cardinal bishop of Sabina, who had reached the ninetieth year of his age, was named Anastasius IV, died sixteen months after his exaltation. He was followed by the Englishman, Nicholas Breakespeare. Nicholas had formerly been a monk and a prior in a cloister of Provence and had been promoted by Eugene III to the bishopric of Albano. He named himself Adrian IV. He found the see in which he had been placed surrounded by inextricable difficulties. The pontificate of Adrian was one unbroken series of severe conflicts: almost in the beginning of his reign, he placed Rome, where Arnold of Brescia was again preaching rebellion, where a cardinal had been attacked and mortally wounded, under an interdict. By this measure he procured at least the expulsion of Arnold and of his most furious adherents. The demagogue fell into the power of king Frederic,

who was proceeding to Rome to be crowned. The king delivered him to the cardinals, and the prefect of Rome sentenced him to be hanged and his body to be burnt. Frederic, after he had sworn to the pope and to the cardinals to ensure their personal safety, to defend and to preserve all their rights and goods, met the pope at Sutri, where his refusal to perform the usual act of honour to the pope of holding the bridle of his horse, caused some differences, which were finally terminated by the acquiescence of the king. Both then proceeded to Rome, and Frederic received the crown of the empire. The Romans, indignant that Frederic had declined their offer, by which they presented the empire to him, or rather offered to sell it to him for a large sum of gold, attacked the Germans, but were repulsed with loss.

Adrian had written an epistle to William king of Sicily, who had entered without permission and without being crowned upon the government of that kingdom, and had thus violated the supreme feudal rights of the pontiff. In this letter, the pope addressed William with the title only of "Lord." In his indignation William invaded the papal states, and drew upon himself sentence of excommunication. The pope was in the meantime straitened in Beneventum, and was compelled in 1156 to conclude with the king a peace, by which the freedom of canonical election, with the right of the royal approbation, the right in the pope of visiting the churches of the kingdom, the sending of legates and the receiving of appeals (which two last points were not extended to Sicily), were secured; William then received the investiture of Sicily, Apulia, and Calabria, and as a liege vassal swore the oath of fealty to the see of Rome. But soon after the conclusion of this contest, the pope saw himself unexpectedly involved in one with the emperor. Frederic was indignant that Adrian had concluded a peace with William, whom he had undertaken to subdue, and his discontent was nourished by several of the cardinals, who formed a party devoted to the emperor, to whom they repre-

sented their colleagues as the bought partisans of the Sicilian. Adrian sent the cardinals Orlando and Bernard to regain the goodwill of the emperor, and gave them a letter, in which he complained that Frederic had not only suffered to pass unpunished the imprisonment and plundering of Eskyl, archbishop of Lund in Denmark, but had moreover done nothing to procure the liberation of this prelate, who had been thus treated in Burgundy. In this letter there occurred the expression that the pope would have been rejoiced had he been able to confer upon Frederic greater benefits *(beneficia)* than his coronation as emperor. As this word had at that time the signification of investiture, the emperor and the German princes gladly received it in this acceptation,—evident as it was that the pope could not have so intended it, and could not have spoken of investitures, which were not greater than the imperial dignity—and they accused Adrian of the intolerable presumption of speaking of the imperial dignity as a grant of the Roman see. In the conference which arose from this circumstance, the cardinal Orlando used these words: "From whom does the emperor receive his dignity, if not from the pope?"—words, which well nigh cost him his life. The legates were under frivolous pretexts sent back in disgrace and as captives; it was forbidden to the ecclesiastics of the empire to travel to Rome, and a bitter address of the emperor to the German bishops, informed them that it was he who endeavoured to preserve their honour and their freedom, and to liberate them from the yoke of slavery which the see of Rome had fastened on them. The German bishops were now taught what Frederic, who had long broken through the conditions of the concordat of Worms, and who disposed of bishops with all the despotism of another Henry V, understood by ecclesiastical liberty; but they feared their powerful, implacable master, whose only idea of right was his own convenience, and they well knew that he had a party devoted to him amongst the cardinals. They, therefore, went over to the emperor, and answered in

his sentiments, and probably in his words, to the complaints of the pope. But the pontiff opposed calm dignity to this haughty arrogance; he sent two other cardinals, the bearers of an epistle, in which he explained in clear terms, and even to the satisfaction of Frederic, all that he had before said of the grant of the imperial crown and of the *beneficium.* As his legates answered in mild terms to all the questions of the emperor, and repeatedly assured him that the pope wished not to intrude upon his dignity, Frederic was pacified.

But only a pope who was prepared to surrender his own and others' rights a prey to tyranny, could expect to continue long in favour with an emperor like Frederic. In his second expedition into Italy in 1158, Frederic undertook violently to change the legal and political condition of northern and central Italy, and to force it back again into its former state. The cities had by degrees destroyed the feudal system in its more ancient forms; the dukes, margraves, and counts, had disappeared, or, like the minor nobility, had become citizens; the bishops had lost many of their prerogatives, which had fallen into the possession of the cities. Frederic, after he had humbled the proud Milan, declared in the diet, which he had assembled on the plain of Roncaglia, all his rights according to his idea of the unbounded power of a Roman emperor. The coinage of money, tolls, and imposts, and in general so many things were declared regalia, which were to be restored to the emperor, that scarcely anything remained, which was not comprised in this enumeration. By this act, not only the cities, but the bishops also, and the cloisters and churches, saw themselves deprived, at one stroke, of many rights and revenues, which they had long possessed and lawfully merited. A pope could not behold this and remain silent; but the same man, who had before solemnly pledged himself to preserve or to restore all the rights and possessions of the Roman see, now acted towards this same see with the like ruthless despotism. To the duke Guelf he granted

Tuscany, Spoleto, Sardinia, and the entire possessions of Matilda, although the emperor Lothaire had, in the most unequivocal terms, acknowledged the right of the pope to this inheritance; he even disposed of the goods of the Roman Church, and wished to assume the sovereign authority in Rome, without which, he said, the title of Roman emperor was no more than a fiction. In full violation of the concordat of Worms, he named whilst in Italy his chancellor Rainald, who was with him in that country, to the archdiocese of Cologne; and Guido, the son of the count of Blandrate, he nominated archbishop of Ravenna. Guido was a sub-deacon of the Roman Church, and could not therefore pass to another Church without the consent of the pope, which Adrian refused, as he had need of him in Rome. Frederic, knowing that the pope had well-founded complaints against him, seized with pleasure everything that might be turned as an objection to the pontiff. It was, therefore, made a subject of grievance, that Adrian had placed his own name before that of the emperor, in one of his epistles; that he had addressed him in the singular number; that he had sent his epistle by an unknown messenger, who retired immediately after delivering it. Wearied with these petty annoyances, the pope at length sent five cardinals, as the bearers of the following requisitions. That the imperial ambassadors should never be sent to Rome for the exercise of the rights of sovereignty without the knowledge of the pope; that levies upon the goods of the Roman Church should be made by the emperor only at the time of his coronation; that the Italian bishops should not take the oath of homage, but only of fidelity; that the possessions of the Roman Church, and the revenues of Ferrara, Masso, Figheruolo, of the Matildan inheritance, of the countries between Acquapendente and Rome, of the dukedom of Spoleto, of the islands of Sardinia and Corsica, should be restored. The emperor, on his side, brought as a complaint against the pope, that he had without his consent made peace with Sicily; that the papal legates travelled through his dominions with-

out his permission; that they took up their residence in the episcopal palaces, and oppressed the churches; and, lastly, that unjust appeals were taken to Rome. A friendly reconciliation was therefore not to be expected from the present disposition of Frederic. The pope died in 1159, when, according to report, he was preparing to pronounce sentence of excommunication against the emperor, who had cast two cardinals into prison.

SECTION II.

ALEXANDER III.—SCHISM.—TRIUMPH OF THE POPE. —LUCIUS III.—URBAN III.—CLEMENT III, AND CELESTINE III.*

After the death of Adrian, the schism, for which the cardinals, who were devoted to the emperor, had prepared the way, and probably with his connivance, openly manifested itself. On the fourth of September, Orlando Bandinelli of Siena was chosen by a majority of voices. The new pontiff had formerly been professor of Theology at Bologna, and was one of the most learned men of his age; his distinguished talents had obtained for him, from Eugene III, the rank of cardinal, and, after a short time, that of chancellor of the Roman Church. He at first objected to take upon himself the burden of the pontificate; but now a rival appeared, the cardinal Octavian, who had before seceded from Adrian, and had given himself to the emperor, and could now depend upon the support of Frederic, whom he had first known when he was delegate at Bologna. Only two cardinals gave their votes to Octavian, who, with shameless haste, assumed the papal robes: he

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* Johannis Sarisberiensis, et Arnulfi Lexoviensis episc. Epistolæ, in the Recueil des Historiens des Gaules, tom. xvi.; Acts of the Synods, held on account of the schism, in Harduin, tom. vi. part ii. 1565-1615. Romualdi Archiep. Salernit. Chronicon, in Muratori, tom. vii.; Alexandri III, Epistolæ 419, in the Recueil des Historiens, tom. xv.

caused Orlando and the cardinals to be held imprisoned by a band of adherents, whom he had purchased with gold, but they were soon liberated by the Frangipani. Orlando was consecrated in a castle near Rome, and took the name of Alexander III. After an interval of eight days, he passed sentence of excommunication against Octavian. This antipope, who was powerfully assisted in Rome by the imperial representative, the count-palatine Otho, employed the name of the emperor and abundant bribes to gain to his party bishops, from whom he might receive consecration. At length, the bishops of Frascati, Ferentino and Amalfi,—the last had been deprived by Adrian on account of his crimes,—passed over to him and consecrated him with the title of Victor IV, in the Abbey of Farfa. He and his party, which now counted five cardinals, endeavoured to spread the report that Orlando had been elected only by a faction, which was in the interest of William, king of Sicily, and which had before conspired against the emperor.

Frederic, although he put on a semblance of impartiality, took at once a decided part against Alexander, with whose firmness and true ecclesiastical character he was well acquainted. He convened a council of his court at Pavia, in which he pretended his desire to be to decide according to the advice of the prelates, on the pretensions of the two competitors. But of the letters which invited both to the assembly, that sent to Alexander was directed to the "cardinal Orlando"; the other, written to his rival, was addressed to "Victor, bishop of Rome." Frederic, therefore, had already decided. Alexander and his friends understood the symptoms of the coming contest; they resolved to brave every danger to secure the liberty and independance of the Church, and not to surrender their good cause to the shackled judgment of an assembly which was governed by the emperor, and which trembled before him. They replied to the two bishops, who had been sent to them by Frederic, that the emperor addressed his mother as a handmaid; that the Church,

which had been purchased by the blood of Christ, should never again be a slave, and that the civil power should never more decree on things the most sacred. The two episcopal ambassadors then returned to Segni, to the antipope Octavian, before whom they prostrated themselves, honouring him as sovereign pontiff. In February 1160, the assembly of Pavia was opened; but from the whole of Italy only six bishops were present; the others were German prelates, boon companions of the emperor. Even of these the greater number wished to refer the decision of the cause to a more numerous synod. But to this Octavian and his imperial protector would not consent. A decree was therefore formed, which could strike only Alexander. It was objected to him, that when invited to the synod, he had refused to appear, and that he had conspired with the Sicilians and Milanese against the emperor: sentence of excommunication was therefore again pronounced upon him. Octavian was declared to be the lawful pontiff, the more willingly, it was said, as that was the only means of restoring peace and harmony between the empire and the priesthood. Frederic then paid to this his creature the ordinary signs of honour, of holding his staff, and of kissing his feet.

The next consequence of these proceedings was the union of the ecclesiastical with the political contest of the Lombards, who were struggling for liberty. The cardinal, John of Anagni, the papal legate, and Obert, archbishop of Milan, excommunicated Frederic in the principal church of that city. Frederic, on the other hand, commanded all the prelates of his empire, under pain of exile, to acknowledge and to obey Octavian as their pope; all ecclesiastics and laics, who should recognise Alexander, should suffer the confiscation of their goods or the loss of life. He thus compelled the pope not only to excommunicate him as a persecutor of the Church, but to free his subjects from their sworn oaths of fidelity. Everywhere the adherents of Alexander were driven from their churches. When the entire Cistercian order, which numbered more than

seven hundred abbots, declared in his favour, the rage of Frederic burst forth against them, and obliged whole troops of monks to seek refuge in France. The greater part of the German bishops, either through fear, through indifference, or through ignorance of the circumstances, adhered to the pope of the emperor: but the more conscientious,—such as Eberhard, archbishop of Saltzburg, the bishops of Brixen and Halberstadt, and Conrad of Wittelsbach, archbishop of Mentz,—although he had been nominated by Frederic, refused to bend their knees to the idol of the emperor, and proclaimed their fidelity to Alexander. For this declaration, the bishop of Halberstadt was deprived of his see. In France and England, the decree of the synod of Pavia was received with contempt: in these countries all were in favour of Alexander. In a synod at Beauvais, the French, and in synods in London, and at Neufmarche in Normandy, the English bishops declared for him; and in 1161, in a numerous assembly, which had been convened by the English and French monarchs, and at which the cardinals of Alexander and of Octavian, and delegates from the king of Spain, were present, after a careful examination of both parties, the same decision was given.

Alexander, who could not maintain himself in Italy against the power of the emperor, retired into France, where so many of his predecessors had found an asylum from the violence of the German emperors. But the emperor induced king Lewis not to acknowledge the pope, before more mature deliberation, into which both should enter in an appointed interview. But when, on the day named for the meeting, Lewis arrived at Launes, near Dijon, he found there, not the emperor, but his chancellor, Rainald archbishop of Cologne, who announced to him, that it was not for him or his bishops to decide in the cause of either of the popes, but to receive as pope him whom the emperor and *his* bishops should acknowledge. The astonished king then enquired whether he and his prelates did not belong to the flock of Christ which had been entrusted to the

apostle St. Peter and his successors: he declared that he had redeemed his word and rode away. On the banks of the Loire he joined the pope and the king of England. Here the two sovereigns walked at the side of the pontiff, holding the bridle of his horse. It was now evident that the entire Christian world recognized Alexander as the true and lawful pontiff. Only as far as the arm of the emperor extended did Octavian find an external, compulsory recognition. Alexander, therefore, was enabled to convene at Tours, in 1163, a numerous synod, at which were present seventeen cardinals and one hundred and twenty-four bishops, who declared the ordinations of Octavian and of the other schismatics annulled. Frederic, also, and his pope, who had followed him into Germany, held a synod at Dole, in which his confidant, the archbishop Rainald, betrayed, by his assertion that in Rome, the imperial city, only the emperor had a right to judge, the object to which he desired to attain,—the degradation of the pope to the rank of a bishop of the empire, who might be subservient to the emperor and an instrument for all his designs.

The death of Octavian at Lucca, in 1164, presented a favourable opportunity for the termination of the schism; but the emperor's bishops, Rainald and the bishop of Liege, with the two cardinals of Octavian, imagined that a continuation of the breach was for their own and their master's advantage. A new election, therefore, took place; that is, one of the cardinals, Guido of Crema, received from the other, John of St. Martin, the title of Paschal III, and was, contrary to all law, consecrated by the bishop of Liege, unassisted by other prelates. So shameless a mockery of the most sacred rites of the Church served only to increase the number of Alexander's followers, whilst the adherents of the antipope were now confined to the band of worldly-minded men who knew no authority other than the fortune and power of the emperor. To take from the pontiff every hope of reconciliation, the emperor swore, at a diet of princes at Wurzburg, in 1165, that he would never

acknowledge as pope, Orlando or any one of his party, but would adhere immoveably to Paschal. When the bishops, who were present, were required to take the same oath, they answered, (according to the idea of the times, that the emperor could exact such an oath from them only in virtue of their homage to him as their feudal lord), that they would rather, than thus swear, resign their *regalia:* but Frederic, encouraged by the promises of the ambassadors from England, that their master, who was then engaged in his quarrel with St. Thomas à Becket and embittered against Alexander, would defend the cause of the emperor and his pope, replied to the prelates, that, whether they wished or not, they must take the oath, and retain their regalia. As the archbishops, Conrad of Mentz, and Conrad of Salzburgh, continued firm in their fidelity to Alexander, the emperor published against the latter, his own uncle, the ban of the empire, and gave up his entire diocese to plunder: in the see of Mentz, after the flight of Conrad of Wittlesbach, he placed Christian, provost of Meresberg. And now the German Church beheld at its head a man who squandered the revenues of his diocese in every species of crime, who, as a leader of lawless bands and as imperial executioner, had rendered to his master grateful service in the oppressions and extortions by which he had afflicted the unhappy Lombards.

Invited by the Romans, Alexander returned to their city: Christian resided at Viterbo. The Lombard cities, Cremona, Bergamo, Brescia, Ferrara and Mantua, being reduced to extremities by the excesses of the imperial officers, formed, in 1167, a confederacy against the emperor, and resolved to rebuild Milan, which had then been in ruins for more then five years. Frederic had hastened to Rome and had converted the plundered church of St. Peter into a fortress: he then caused his antipope to be enthroned, in the same church, which had been desecrated by many abominations, and himself to be crowned by him. He, who had solemnly pledged himself, at Wurzburg, by oath to Paschal, now

proposed to the Romans, that both popes should resign, and a third be chosen, over whose election he would exercise no influence. Alexander then withdrew, after he had in the Lateran basilica pronounced sentence of excommunication against Frederic, and arrived safely at Beneventum. The Romans, with the exception of the powerful families, who in their strong castles bid defiance to his arms, took the oath of fidelity to the emperor. But the day of retribution had at length arrived, and there now fell the first of those strokes, which crushed the haughty pride of a ruler, who had trodden beneath his feet all divine and human rights. A pestilential disease swept away in a few days thousands of his army: together with the dukes Guelf and Frederic, there died the archbishop Rainand, the pliant instrument of the emperor in every deed of wickedness, the bishops of Liege, Verdun, Spires and Ratisbon. The emperor conducted back to Pavia the miserable remnants of his army, a powerfully speaking evidence of the judgment of God. At Pavia he published the bann of the empire against the confederated cities, but on the first of December, the cities of the march of Verona,—Venice, Piacenza, Parma, Modena and Bologna—entered into the Lombard league, and in March 1168 Frederic appeared as a fugitive on the confines of Germany.

The antipope Paschal died in September 1168, at the Vatican, whither he had been reconducted by the archbishop Christian. His adherents, expecting no reconciliation with Alexander, immediately elected, although not one of the schismatical cardinals was now living, the abbot John of Struma, who entitled himself Calixtus III. Frederic acknowledged him, and continued to persecute the friends of Alexander. In Germany, he drove from their sees the bishop of Passau, and the new archbishop of Salzburg, Adalbert, a brother of the king of Bohemia. The Greek emperor, Emmanuel, now sent an embassy to Alexander, who was at Beneventum, with large sums of money, and an offer of an entire reunion of the two Churches, if he would confer upon

him the title of Roman emperor. After mature deliberation, the pope sent back the gold and rejected the offer. But the alliance between him and the Lombards was more closely drawn. Between Asti and Pavia the Lombards had in a short space of time built a new city, which, in honour of the pope was named Alexandria; and in 1170 their consuls surrendered to him and the Roman Church, this city as tributary property. It was in vain that Frederic endeavoured by negociations to separate the pope from the Lombards. Alexander called together the delegates of the confederated cities, and as the imperial ambassador, Eberhard, bishop of Bamberg, was not empowered to acknowledge him as pope, and as Frederic continued his hostilities against the prelates who did so acknowledge him, his negotiations proved fruitless.

In the autumn of 1174, the emperor descended for the fifth time, at the head of an army, into Italy. His rage was first turned against Alexandria; but, when compelled to raise the siege, and when disconcerted by the approach of the confederate army, he consented to an armistice. Negotiations were now commenced, and at the desire of Frederic, three cardinals went as papal legates to Pavia, as the Lombards insisted not only on their own liberty, but on the rights also of the Roman see. But all was vain, for Frederic obstinately adhered to the resolutions of Roncalia, and would yield to the legates in nothing. It was not until after a second stroke from Heaven, in May 1176, when the Lombards almost destroyed his entire army in the battle of Legnano, that Frederic was in some degree subdued. The archbishops of Mentz and Magdeburg and the bishop of Worms appeared at Anagni as his ambassadors before the pope, who required that the proposals for peace should be extended to the Lombards and to the king of Sicily. When the principal conditions had been arranged, Alexander, with many of the cardinals, embarked for Venice effectually to conclude the peace. But once more the emperor endeavoured to regain his lost ascendancy. He undertook, through his party in

Venice, to force an entrance into the city, contrary to the oath which the Venetians had sworn to Alexander. The pope would have then fallen into his hands, and he would have prescribed the terms of peace. His attempt failed, for the pope and the ambassadors from Sicily and Lombardy prepared to depart, and nothing was now more dreaded in Venice than the anger of the king of Sicily. Frederic at length sent plenipotentiaries who swore to the conditions of peace: the pope then invited him to Venice: the German prelates abjured the schism, and cardinals were sent to the emperor to absolve him from his censure. The emperor entered Venice on the 24th June, and was received by the pope at the entrance of the church of St. Mark. Frederic threw himself upon the ground to kiss the foot of the pontiff, but Alexander raised him and gave him the kiss of peace.* On the following day, after the high mass, the emperor held the stirrup, and guided the horse of the pope. The solemn proclamation of peace was made in the concluding assembly on the 11th of August, in which the emperor placed the pope on his right hand, and Romuald, archbishop of Salerno, the representative of the king of Naples and the historian of these events, on his left. The revenues of the states of Matilda were secured to the emperor for fifteen years; the farther possession of them was to be decided by future arbitration. As a preliminary step, an armistice of six years with the Lombards, and for fifteen years with the king of Sicily, was then concluded. The men whom during the schism Frederic had placed in episcopal sees—the archbishops of Mentz and Cologne, with their suffragans and the bishop of Mantua—were to retain their bishoprics. Hence Conrad, archbishop of Mentz, was compelled to

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* That, on this occasion, Alexander pressed his foot upon the head of the prostrate emperor, and insulted him with these words of the Psalm, "Thou shalt walk upon the asp and the basilisc, thou shalt tread upon the lion and dragon," is an invention of calumny, as is proved by the silence of all the contemporary historians who have written on the interview between Frederic and Alexander at Venice. Romuald, archbishop of Salerno, who has given a minute account of this interview, knew nothing of any such act of the pope.—(*Transl.*)

give place to the intruder, Christian, who had latterly done much to effect a peace. Conrad received in exchange the see of Salzburg, the lawful possessor of which, Adalbert, was induced by the pope to resign. At Halberstadt, Ulrich, who had been driven from his see, replaced the schismatical Gero.

Alexander, being invited by an embassy from the Romans, again returned, after the senators had sworn fidelity to him at Anagni and had solemnly promised to restore all the regalia belonging to the Roman Church. The antipope, John of Struma, wished to continue the schism and was therefore besieged by archbishop Christian in Viterbo: but at length he offered a voluntary submission. At Tusculum he fell at the feet of Alexander and acknowledged his guilt. The pontiff raised him from the ground, invited him to his table and entrusted to him the government of Beneventum. The attempt of a handful of schismatics to create another antipope in the person of a man, named Lando Sitino, ended in the capture and imprisonment of this new shadow of a pope. In the year 1179 Alexander assembled in the Lateran the eleventh general council of the Church, at which were present three hundred bishops from all parts of the west and from Syria. For the prevention of future schisms, it was decreed that for the validity of a papal election, there should be a majority of two thirds of the electors in favour of the person elected, and that any person, who should assume to himself the rank of pope, without this number of voices, should, as well as his electors, be excluded for ever from the communion of the Church. All the ordinations of the late antipopes were then pronounced uncanonical: all those who had been promoted by them, and all who had voluntarily sworn to adhere to the schism, were deposed.

After the death of Alexander, in 1181, the aged cardinal Ubaldo Allucingolo, bishop of Ostia, was chosen to succeed him, and was named Lucius III. But the seditious movements of the Romans, who extended their hate against the city of Tusculum to its protector,

the pope, compelled him to leave Rome and its vicinity. He retired to the north of Italy, and, in 1140, met the emperor at Verona. Frederic, who in the mean time had concluded with the Lombards the peace of Constance, by which the Lombard federation was recognised, the regalia conceded to them, and the odious decrees of Roncalia thus anuulled, besought the pope to confirm those prelates who had been consecrated and instituted during the schism and to crown his son as emperor. Lucius refused both requests—the latter, because the empire could not, at the same time, have two sovereigns,—the former, because, without the concurrence of his cardinals, he could not act against one of the articles of the peace of Venice and one of the decrees of the œcumenical synod.

The emperor, on his part, objected to resign the Matildian inheritance to the papal see, and founded his refusal on a pretended grant made by the margravine to the empire. The despotic conduct of Frederic in the election at Treves increased the misunderstanding between him and the pontiff. Lucius died in 1185, and was succeeded by Uberto Crivelli, archbishop of Milan, who named himself Urban III and retained his archbishopric. The marriage of the emperor's son, king Henry, furnished Frederic with new occasions of strife. Henry espoused the princess Constance, who, after the death of the childless William II, became the heiress of all the Norman dominions in lower Italy,—an union by which the family of Hohenstaufen was put in possession of the south of the peninsula, by which the pope lost his strongest support, and which, if it placed the united crowns of Sicily and of the empire on one head, would lay the foundation of a power which would extend over the whole of Italy.

More resolutely and more severely than Lucius did the new pope Urban proceed against the emperor. As he was a Milanese, and, as he and his relatives had suffered much from Frederic, he was supposed to have been in some degree incited by feelings of personal animosity. A cause of dissension between him and the

emperor must have previously arisen from his suspension of the patriarch of Aquileia, who, during the festivity of the marriage of Henry, the son of the emperor, had crowned him king of Italy, and had thereby invaded the rights of the archbishop of Milan. But Urban had a series of grievances of which to complain against Frederic, who now seemed to consider the property of the deceased Matilda as his own, decided on the succession of bishops, disposed, at will, of the cloisters of nuns, granted ecclesiastical tithes to laymen, and invaded the freedom of episcopal elections. In the controversy occasioned by the disputed election of a bishop at Treves, Urban, by consecrating Volkmar, declared against Rudolf, who was favoured by the emperor. Frederic then proceeded so far as to close all the passes of the Alps, to intercept thereby all communication between the pontiff and the German prelates: his son Henry revenged himself by devastating the provinces belonging to the papal see, and caused a servant of the pope who had fallen into his hands to be maimed. Frederic had, in the meantime, so far intimidated or gained over to his interest the German prelates, that from the diet of Gelnhausen they addressed a letter to the pontiff, exhorting him to display more friendly sentiments towards the emperor. Urban was the more surprised by this proceeding, as he had hitherto acted in unison with the bishops and had exerted himself to defend their rights. He was then at Verona and was about to excommunicate Frederic, who had driven the bishops of Mentz and Verdun from their churches, whose only offence was, that they had assisted at a synod which had been called by Volkman, archbishop of Treves, and had thus acknowledged him as their metropolitan; but he was withheld from passing the censure by the prayers of the Veronese who dreaded the indignation of Frederic. Urban died soon after, at Ferrarra, in 1187. His successor, the cardinal Albert Mora, of Beneventum, Gregory VIII, had only time to enter upon some preparations for the new crusade, and died at Pisa, two months after his election. He was suc-

ceeded by Paul, bishop of Præneste (Palestrina), who was by birth a Roman, and took the name of Clement III. The deep impression which was now produced by the miseries of the Holy Land, the defeat of the Christians by Saladin, and the loss of Jerusalem, created in the minds of the people of the west an universal, perhaps an excessive, desire of repentance and reconciliation. The pope and the emperor approached each other: the latter had taken the Cross, and the former, in conjunction with Frederic, terminated the schism at Treves, by removing both Volkmar and Rudolf, and by nominating as bishop a third person, John, the imperial chancellor. The Romans submitted again to the pope, conceded to him the nomination of a prefect, and promised that their senators should swear fidelity to him, but they required as a condition, that he should consent to the destruction of the hated Tusculum. Clement, therefore, took his seat in Rome. After the death of the Sicilian king, William, the last male descendant of the royal family of the Normans, the kingdom and the feudal rights over it devolved back to the Roman see, but Tancred, count of Lecca, an illegitimate offspring of that family, was, by the favour of the people and through fear of German domination, raised to the throne in 1190. The pope, who well knew that the independence of the Roman see would be endangered should a member of the house of Hohenstaufen become emperor and king of Italy, and possess at the same time the property of Matilda and the southern kingdom, granted the fief, without opposition, to Tancred. Clement died soon after this event, in March 1191, and was succeeded by Cardinal Hyacinth Bobo, of the family of the Orsini, who had reached his eighty-fifth year. He was named Celestine III.

One of the first acts of this pontiff was to crown the German king, Henry VI, as emperor. His exhortations to the new emperor, that he would not extend his hand towards the Sicilian kingdom, were without effect. The aged pope was disposed to adopt more decisive measures. Henry advanced against Apulia, was ship-

wrecked before Naples, and returned into Germany. He there committed two enormities, which would have obliged a more energetic pontiff than Celestine to have employed against him the extreme punishments of the Church. He sold the bishopric of Liege to a provost of Bonn, and procured, by assassination at Rheims, the death of the legitimate bishop Albert. Soon after, speculating with the hopes of obtaining a rich ransom, he purchased from Leopold, duke of Austria, the person of Richard Cœur de Lion, the king of England, whom Leopold had taken prisoner on his return from the crusade. To force from the king the desired ransom, Henry, contrary to the laws of nations, kept Richard in close captivity in a fortress in the Tyrol. With the most earnest representations, and finally with bitter reproaches, Eleanora, the mother of Richard, turned to the pontiff, conjuring him to procure the liberation of a crusader, who was under the immediate protection of the holy see, and to chastise the authors of his sufferings. But the threats of Celestine produced but little effect upon Henry: a sum of money was the only argument that could effect the release of his prisoner. The duke Leopold, who had received a third part of the ransom, was excommunicted, and his sentence fell indirectly upon the emperor. Hence, after his death, the Sicilian bishops first obtained permission from the pope before they could give to his body ecclesiastical burial. This favour was granted only on condition that the money which had been extorted from the king of England should be restored. In 1194, Henry returned, and accompanied with a powerful force, into Lower Italy, resolved to win the crown of Sicily. Frightful were the cruelties inflicted by him on both ecclesiastics and seculars. He died, in 1197, loaded with the curses of the nation, and leaving his memory as a dark stain in the series of the German kings. After three months, he was followed to the grave by the aged Celestine.

SECTION III.

INNOCENT III.—HONORIUS III.*

After the death of Celestine, the cardinal Lothaire, of the family of the Conti, who was only in his thirty-seventh year, was, notwithstanding his own repugnance, unanimously elected to succeed him. He adopted the name of Innocent III. He commenced his pontificate by a general reform of the papal court: he then restored the papal sovereignty in Rome by the act of investing the prefect with his office, and by receiving from him the oath of fidelity. In like manner, he appointed a senator. He recovered the territories which Henry VI had taken from the Roman Church, and had distributed to his favourites. The Alsatian knight, Marcward, to whom Henry had granted the dukedom of Ravenna and Romagna, and the marquisate of Ancona, was, on account of his obstinate resistance, excommunicated and repelled by force of arms. The Swabian knight, Conrad Lutzenhard, who had received from the same king the dukedom of Spoleto and the countship of Assissi, was compelled to resign these lands to the Roman see. The cities of Tuscany, in subordination to the papal authority, formed a league, which was effectually supported by Innocent, in defence of their freedom against the emperor, and for the protection of the Church of Rome. The empress Constance, who, in the confusion which followed the death of Henry in Sicily, felt the necessity of the aid of the pope, sent

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* Innocentii III, Epistolæ, ed. Baluze, Paris, 2 vols. folio, (containing Books 1, 2, 5, 10-16); Brequigny et De La Porte du Theil, Diplomata, Chartæ, Epistolæ, et alia Documenta ad res Francicas spectantia, Paris, 1791, tom. i. (containing Books 3, 5-10); the Gesta Innocentii, ibid.; the Registrum super Negot. Romani Imperii, in Baluze, tom. i. page 687; Richardi de S. Germano (regis Sicil. Notarii) Chronicon (from 1189 to 1243) in Muratorii, tom. vii.

Hurter, Geschichte Papst Innocenz des Dritten und seiner Zeitgenossen (History of Pope Innocent the Third and his contemporaries), Hamburg, 1834, 2 Bde.

an embassy to Innocent to request for her young son the feudal grant of Sicily, Apulia and Capua. But the pontiff, who had been taught by the late events how much evil and misery to the Church might be the consequence of the extensive ecclesiastical power, which had been granted by his predecessors to the kings of Sicily, in the hands of another sanguinary and avaricious Henry VI, justly insisted as a condition upon the surrender of the most esteemed rights of the Sicilian monarchy,—the royal nomination of bishops, the legatine powers, the receiving of appeals, and the arbitrary grant or refusal of permission to bishops to be present at councils. Constance was compelled to yield, and died soon after in November 1198. In her will, she left the guardianship of her young son to the pope, his feudal lord. From that time to the year 1208, it was Innocent who alone preserved the kingdom for the young Frederic, against the ambitious attempts of the German barons, Marcward in Sicily and Diephold in Apulia. When his guardianship ceased, in 1208, he convened a diet at St. Germain's, at which the counts of Celano and Fondi were appointed his lieutenants.

When Innocent ascended the throne of the apostle, all was doubt and division in Germany on the subject of the election of a new king. In 1196, at the requisition of Henry VI, the princes had elected his son Frederic, and had sworn to him the oath of fidelity; but now they considered their choice and their oath invalid, as they had been made before the baptism of the youth, and all felt that the kingdom required the guidance of a man, not of a child, now only in the fourth year of his age. Philip, the uncle of Frederic, who had received from his brother Henry the dukedom of Tuscany and the possessions of Matilda, was induced by the Hohenstaufen party to aspire to the crown. He was elected by the archbishops of Magdeburg and Bremen; by the bishops of Constance, Bramberg, Eichstadt, Osnaburg, and Brixen; by the princes of Saxony, and by the dukes of Bavaria and Carinthia. But the princes of the Rhine and of the Netherlands,

the archbishops of Cologne and Treves, the bishops of Strasburg, Munster, Paderborn, Utrecht, Cambray, and Minden, called from England Otho, the younger son of Henry the Lion, who had been exiled by the emperor Frederic, to ascend the German throne. Philip, who had been excommunicated by pope Celestine, in punishment of violences committed by him in the papal states, persuaded the legate, the bishop of Sutri, to absolve him, on his own authority, contrary to the conditions prescribed by Innocent. The same legate assisted at his coronation at Mentz, by the archbishop of Tarantaise. Otho had been previously crowned at Aix-la-Chapelle. Otho was the first also to seek the favour of the pontiff, and founded his claims upon the recommendation that he had solemnly confirmed the rights of the Roman Church, and of all the other Churches of the empire, and had renounced the odious practice of the right of spoils.* His uncle, the king of England, the duke of Flanders, and the Milanese, interceded in his favour with Innocent. Letters from Philip and the princes of his party arrived later, stating, that the pope could not trespass upon the rights of the empire, and that the king, accompanied by a powerful military force, would soon arrive in Rome to receive the imperial crown. Innocent desired with anxiety the termination of this contest, as it impeded the operations of the crusade, which he endeavoured earnestly to for-

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* The right, *jus spolii*, by which sovereigns claimed succession to the property of deceased priests and bishops,—to so much at least as they had derived from their ecclesiastical benefices. The ancient canons forbade ecclesiastics to dispose by will of any but their patrimonial goods. These canons were by degrees relaxed, on account of the many law-suits which arose from the difficulty of distinguishing between ecclesiastical and patrimonial property. Later abuses called for a renewal of the ancient discipline. We learn from Matthew Paris (ad annum 1246), that three archdeacons in England had amassed great wealth in money and sacred vessels of silver and gold, and that two of them dying intestate, their great possessions, which ought to have passed to the poor or to the service of the Church, were claimed and obtained by their lay relatives. The evil was not much remedied, when sovereigns seized, for their own purposes, the property left at their deaths by bishops and priests.—(*Transl.*)

ward, and was the cause of much confusion in the German Church. Already had a double election occurred at Mentz, and the same was threatened in the other bishoprics as they became vacant. But to the Hohenstaufen, Philip, although he was more powerful, had obtained the greater number of votes, and was supported by the king of France, Innocent could not feel himself inclined, when he remembered the many evils which his father and brother had inflicted upon the Church, and the many hostilities which he had committed in the pontifical states. He looked also with dread upon the designs of his family to make the regal, and consequently the imperial, titles hereditary in their house. Innocent, although he asserted in undisguised terms, that in bestowing the imperial title, he possessed an established right to give the last and definitive judgment, wished the German princes to come to a decision amongst themselves, without his interference. But as this could not be effected, and as a civil war burst forth, which would lead only to a tardy and doubtful issue, he, in the year 1200, sent into Germany the cardinal Guido, bishop of Palestrina, with a circumstantial "deliberation," in which he exposed all the motives which induced him to reject the election of Philip, and in which he declared, that unless the princes should unite in this election, or leave the cause to his decision, he would at once acknowledge as king, and crown as emperor, Otho, who was devoted to the welfare of religion, and who was descended from families which were distinguished by their ecclesiastical and religious spirit. In his epistle of the following year, they required more decidedly that Otho should be elected king. Otho swore to the papal legate, at Mentz, that he would defend the Roman Church in all its possessions, fiefs, and rights, and assist it in recovering what it had lost; that with regard to the Roman people, the Tuscan and Lombard confederations, he would abide by the counsel of the pope. The legate then pronounced sentence of excommunication against all who should oppose the king Otho.

The adherents of Philip, who had assembled at Bamberg, and who were now joined by Eberhard, archbishop of Salzburg, the bishop of Passau, and Leopold duke of Austria, defended themselves in a manifesto which they addressed to the pope. It was not for him, they said, to interfere with the choice of a king of Germany, nor to offer himself as arbitrator in a disputed election. They promised, at the same time, that Philip would ever prove himself obedient and devoted to the Roman see. The king of France, also, sought to gain the favour of the pontiff for his ally. Innocent replied, that far from violating the liberty of the princes in election, he had only exercised his own right of examining the election of him, whom he, the pope, should raise to the rank of emperor, upon whom he should impose his hands, and that he had decided in favour of Otho, as only he had been elected in due form. But the letters of the pope, and the unceasing endeavours of his legate Guido, did not prevent Philip from acquiring greater strength in the years 1204 and 1205: many princes, even the archbishop of Cologne, who afterwards crowned him at Aix-la-Chapelle, passed over to him. Innocent deposed this perjured prelate. Bruno, the provost of Bonn, was elected to succeed him, but fell, in 1206, together with the city of Cologne, into the power of Philip. Now that almost all Germany recognised him as king, Philip conducted himself with the greatest respect towards the pope, promised him obedience in all things, and sent a splendid embassy, with unlimited powers, to Rome, to form a treaty of peace. Innocent, in 1207, sent two of his most able cardinals, Ugulino bishop of Ostia and Leo Brancaleone, who absolved Philip from his excommunication, upon his promise to listen to the pope, and to liberate the captive archbishop Bruno; they obtained two interviews between the contending kings, and effected an armistice. The ambassadors of Philip had arranged with the pope the conditions of peace, and obtained for their master a promise of the imperial crown, when he was murdered, in 1208, by the count-

palatine Otho of Wittelsbach, whom he had personally injured.

The pope exhorted the German prelates not to permit a new division of parties and forbad them under pain of excommunication to elect or to crown another king. At the diet of Frankfort, Otho IV, who by his espousal with Beatrix, the daughter of Philip, gained for himself the followers of the family of Hohenstaufen, was elected king by fifty princes. At Spire, in 1209, Otho solemnly renounced all participation in ecclesiastical elections and in the right of spoils, and guaranteed to the Roman Church the undisturbed possession of the country, from Radicofani to Ceperano, the lands of Matilda, the countship of Britanori, the march of Ancona, the dukedom of Spoleto and of the exarchate with the Pentapolis. He then marched into Italy, met the pope at Viterbo, and after a sworn repetition of his former promises, he received the imperial crown at Rome, on the 27th of September 1209. A sanguinary conflict ensued between the Romans and the German followers of Otho. This was followed by a more important rupture between the emperor and the pope, occasioned by the infidelity of Otho in the observance of his promise. He allowed himself to be persuaded by some lawyers, that the principal possessions of the Roman see were the property of the empire. Under the pretext that at his coronation he had sworn to maintain the dignity and possessions of his empire, he without scruple seized upon these goods of the Church, laid waste the countries, when he met with opposition, reduced the best provinces of the ecclesiastical states to the condition of fiefs of the empire, and already asserted his pretensions to the kingdom of Apulia. It soon became evident that he aimed at the entire subjugation of all Italy: he marched into the Apulian territory and laid waste almost the whole of the continent of southern Italy. To the exhortation of the pope, who besought him not to become a perjurer, and not to draw upon himself sentence of excommunication, he replied, that in spiritual things, which belonged to the pope, he assumed nothing to himself, but

in the temporal government, over which he had full power, the pope had no voice. Long did Innocent delay: for the sake of peace he endured with patience all the injuries, which the states of the Church had suffered from the Germans. He required of Otho, under pain of excommunication, to abandon his design of invading Sicily: but in vain, for the emperor prepared himself the more to pass to the island. The pope therefore on Maundy Thursday, in 1211, followed up his threat and declared the oath of fidelity, which had been taken to Otho, as no longer binding. The sentence of excommunication was immediately published in Upper Italy and in Germany; in the latter country by the papal legate Siegfried, archbishop of Mentz. At a diet of princes at Nurnberg, Otho, whose pride and severity had alienated from him the minds of all, was declared to have forfeited the empire, by the archbishops of Mentz, Treves and Magdeburg, the bishops of Spire and Basel, the landgrave of Thuringia, and the king of Bohemia. Two messengers were then sent with orders to Frederic, who had been before elected and in whose favour were the ancient and numerous adherents of the family of Hohenstaufen. The pope not only gave his consent, but exhorted Frederic to hasten his entrance into Germany. Otho was compelled to return thither in 1212, surrendering his Italian possessions, which he thus lost rapidly as he had gained them; but his presence failed to give a decisive turn to the war, which the hostile princes, with varying success, waged against him.

Frederic had in the mean time been honourably received in Rome by the pope, had obtained from him assurances of powerful support, and promised that immediately after he had received the German crown, he would cede to his son the kingdom of Sicily. It was only by a separation of Germany from the south of Italy, that the independence of the papal see could be secured, and that the emperors could be restrained from the tempting undertaking of reducing all Italy to their own power. Frederic had in the preceding year

acknowledged the feudal superiority of the pope over Apulia, by paying the tribute, and had granted full freedom in the election of bishops. As soon as he appeared in the south of Germany, the Suabian nobility gathered around him, and Otho was compelled to retire into his hereditary possessions. At an assembly of princes, which was held at Eger, in 1213, Frederic declared in a bull, which was subscribed by the chiefs of the princes, that Innocent was his protector and benefactor, who had nurtured, guarded, and protected him; he confirmed and promised all that Otho had before promised, but which he had not observed, and added that he would defend the Roman see in all its authority, and in particular in its rights over the kingdom of Sicily and to the islands of Corsica and Sardinia. Otho in the mean time turned his arms against Philip, king of France, whom he considered to be the chief support of the pope and the firmest ally of Frederic. Should he overcome Philip, he might then, he imagined, seize upon the property of the Church and confine the clergy to their tithes. But in the battle of Bovines, in 1214, he suffered a defeat, which so weakened him as to render him unable to cope with Frederic. He died in 1218, having been absolved from excommunication upon a declaration of repentance, and having solemnly sworn that he was willing to submit to the decrees of the pope. Frederic was crowned at Aix-la-Chapelle, in 1215, by the archbishop of Mentz: he vowed together with many princes to undertake a crusade, and swore that as soon as he should receive the imperial crown, he would cede to his son the kingdom of Sicily, which should be governed during the minority of the young prince by a regent responsible to the pope.

In 1215, Innocent assembled a general council at Rome, the most numerous that had ever been seen in the west. There were present seventy-one primates and metropolitans (amongst whom was the patriarch of the Maronites), four hundred and twelve bishops, nine hundred abbots and priors, the representatives of the emperor of Constantinople, of the kings of England,

France, Aragon, Hungary and Cyprus, and delegates of many other princes and states. It was a great diet of all Christendom. The chief subject of deliberation was the undertaking of a new crusade, for which purpose a *God's Peace* for four years was commanded to all Christian princes and people, and the bishops were directed to promote the reconciliation of all persons engaged in contention. The contest for the German crown was also brought under consideration. The margrave of Montferrat declared in favour of Frederic, a delegate of the Milanese in favour of Otho: the council confirmed the election of the former. In the following year Innocent died,—a pontiff who possessed in a wonderful degree the most excellent qualities and the most brilliant talents; like to Gregory VII, in his inflexible firmness and in his high unsullied sense of justice, greater than he in his penetrating knowledge and in his comprehensive views of the various relations of the world, of human inclinations and prejudices; in his rapid transactions of the most various affairs, in his acuteness and in his vast theological and legal learning. Circumstances did not call upon him to exhibit under misfortune the unmoveable constancy and the dignified endurance of Alexander III.

The cardinal Cencio Savelli, a Roman, was elected head of the Church in July 1216, and took the name of Honorius III. His first cares were directed to the crusades, without which the possession of the Holy Land would be irrecoverably lost to the Christians. He exhorted Frederic to the immediate fulfilment of his vow, and the king evinced such readiness as to request the pope to oblige, under pain of excommunication, all the princes and prelates who had taken the cross, immediately to commence the expedition. At the same time, Frederic expressed his gratitude for the many favours conferred upon him by the holy see, which he had to thank for all that he was and for all that he possessed. In an assembly at Hagenau, in 1219, he repeated his former declarations with regard to the freedom of ecclesiastical elections and the states of the Church.

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But in contradiction to the engagements into which he had entered with Innocent, he endeavoured at the same time to procure the election of his son Henry to the throne of Germany, and he effected this by sending to the spiritual princes letters of freedom in 1220, by which he either confirmed or granted to them the rights which were enjoyed by the nobility of the land. He then assured the pontiff that the election had taken place without his knowledge and against his will; that he would confirm it only if the pope would give his consent, and engaged that the two kingdoms, Germany and Sicily, should ever after remain distinct. The mild Honorius consented to all; and notwithstanding the extreme necessities of the east, he thrice prolonged the term of the departure of the crusade, and declared himself ready to grant the imperial dignity to the king. To the cities which consulted him on the conduct which they were to observe towards Frederic, he replied, that all the Lombards should take the oath of fidelity to him, but with the reservation of the rights of the Church. Frederic on his part complied with the requests of the pope, by obliging the nobility in the dominions of Matilda to swear the oath of fidelity to the Roman see, and swore himself to observe the articles which he had before promised in Germany. He was therefore crowned in St. Peter's Church on the twenty-second of November, in the year 1220. He then again took the cross from the hands of the cardinal Ugolino, and solemnly swore that after he had sent before him a part of his army he would himself follow, in August 1221. He confirmed to the pope his right to the territory between Radicofani to Ceperano, to the dukedom of Spoleto, and to the marquisate of Ancona: he released the possessors of the goods of Matilda from the oath which they had taken to him, and acknowledged the exclusive right of the pope to nominate to the offices in those territories. He then confirmed the freedom of the Churches and of ecclesiastics in Germany, and decreed that, to the sentence of excommunication which had been incurred for the violation of ecclesias-

tical rights, the ban of the empire should be added, if the party offending were not absolved within the space of a year. Frederic then departed to his hereditary kingdom of Sicily, and Honorius granted him power, contrary to their former convention, to unite with his imperial authority the immediate administration of this kingdom.

But Frederic did not fulfil his obligations with regard to the crusade, and when the mighty expedition against Egypt had entirely failed, and the conquered Damietta had been again abandoned, the hitherto indulgent pontiff could no longer restrain his grief, and amidst many complaints, threatened the emperor with excommunication. New promises, new excuses, and new delays followed. In an interview which took place at Ferentino, in 1223, between the emperor and the pope, it was agreed that the expedition should be deferred for two years, as Frederic had to provide for the internal peace of the empire. The pope hoped that the marriage of Frederic with Jolanthe, the heiress of the crown of Jerusalem, would be to him a new motive to save that kingdom, which he might now call his own, from the impending destruction. In the assembly at St. Germano, in 1225, Honorius consented to another prolongation of two years; but Frederic undertook to supply money, troops and ships, and added, that, unless he should execute his engagements within the stipulated time, he would submit to excommunication, and that the see of Rome should proceed against him and his kingdom according to judgment and right.

If Frederic had not hitherto been acting the part of a hypocrite, we must suppose that at this time his religious opinions underwent that change by which alone we can explain many circumstances that followed. Even with the all-enduring Honorius, who was so averse to proceedings of severity, he now entered into a violent contest. The pope, acting according to the right of devolution,* had placed bishops in five of the

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* The right which devolved on the pontiff of appointing bishops

principal sees of the south of Italy, which had been kept long vacant by Frederic, who reserved them that he might enjoy the revenues: the emperor not only banished the bishops, but even expelled the papal legates. Contrary to all former treaties, he required that the inhabitants of the papal dukedom of Spoleto should pass with him into Upper Italy; and in his letter to the Roman see, bitter and unjust complaints had succeeded to his former expressions of gratitude and devotion. He was now anxious to break down the power of the Lombards, who had formed a confederacy for twenty-five years to guard against his attacks: against all who opposed him he published the ban of the empire. But he had not strength to execute his own sentence, and as he again stood in need of the aid of Rome, he restored the five exiled bishops, submitted his complaints against the Lombards to the pope, and requested him to act as arbitrator. Honorius, at first, declined this perilous commission, which, as it appeared to him, must necessarily bring upon him the anger of one or other of the parties. But the emperor insisted, and promised submission to his judgment: the Lombards also consented. Honorius therefore adjudged that all hostile seizures should be restored on both sides: that the Lombards should acknowledge the superiority of the emperor, should supply him with four hundred horsemen, during two years, for his wars in the Holy Land, and should make peace with the cities which were in obedience to the emperor. Honorius died soon after, in March 1227.

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and abbots to vacant sees and abbeys, when the sovereign or patron neglected to appoint, in order that they might enjoy the revenues, or when they had nominated persons unworthy of the office.—(*Transl.*)

CHAPTER THE FOURTH.

FROM GREGORY IX TO THE DEATH OF BONIFACE VIII.

SECTION I.—GREGORY IX.—IMPLACABLE ANIMOSITY OF THE EMPEROR FREDERIC II AGAINST THE CHURCH.*

THE cardinal Ugolino, a nephew of Innocent III, who in an advanced period of life was raised to the papal throne, with the name of Gregory IX, by the unanimous vote of the electors, after the death of Honorius, had possessed the fullest confidence of his predecessor. He had been entrusted with the conduct of the most important affair that then engaged the attention of the Church, the negotiations relating to the crusades; and even the emperor testified of him, that he was a man of spotless fame, of pure morals, distinguished by his piety, his learning and his eloquence, and that he shone, as a bright star, before all his contemporaries. This pontiff, who with the name, possessed the immoveable firmness, of the seventh Gregory, undertook at once, with zeal, the affairs of the Holy Land: he exhorted the emperor to fulfil the convention of S. Germano; he reminded him, that, when a cardinal, he had, at his desire, encountered the most anxious cares and oppressive labours to promote the object of the crusades, and added, that all bishops had been directed to pronounce censures on those who had taken the cross and who deferred their departure to the Holy Land. He, at the same time, reprehended the excesses of the emperor, and the unbridled licentiousness of his court. Confiding

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* Petri de Vincis (the chancellor of Frederic) Epistolarum, lib. vi. ed. Isel. Basil, 1740, 2 vols; Richard de S. Germano; Matthew Paris; Albert of Stade. The Chronicles of Br. Pepin and of the monk of Padua, in Muratori, tom. viii. and ix.

Schwarzhueber, De celebri inter Sacerdotium et Imperium Schismate, tempore Friderici II, Diss. Historica, Salisburgi, 1771.

in the promises of Frederic, and in the expectation that he would place himself at their head, a numerous and brilliant army of crusaders had collected in the south of Italy. From Germany there came, with a long retinue of followers, the landgrave of Thuringia,* the bishops of Augsburg, Ratisbon, and Bamberg. From England there came nearly sixty thousand armed men. But the emperor delayed his departure from week to week, and at the commencement of the hot season of the year, there appeared amongst the troops, who were crowded together, and who were unaccustomed to a foreign climate, diseases which carried off the pilgrims in multitudes. Amongst the victims were the landgrave Lewis and the bishops of Augsburg and Anger. At length the emperor departed with the fleet from Brundusium, but landed again at Otranto, where he remained for some time and then went to recover from a disease, real or pretended, to the baths of Puzzuoli. The consequence of this proceeding was, that the whole expedition, which had been prepared at so many sacrifices and with such labour, was abandoned. More than forty thousand crusaders returned to their homes, whilst in Palestine there remained only a weak guard of eight hundred knights. If the illness of Frederic were more than a mere pretext,† it must still excite our surprise, that after his rapid recovery, he did not enter upon his voyage to Syria, in the autumn of 1227, and that he broke his word pledged to the pilgrims who had preceded him. The most probable opinion is, that Frederic, being affected towards the Moslem princes by a

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* This was Lewis, the husband of the "dear saint," Elizabeth, whose life has been so beautifully written by the count Montalembert, and as beautifully translated into our own language by A. L. Phillipps, Esq.—(*Transl.*)

† In the epistle of the emperor to the king of England, who would learn from the knights returning home what was Frederic's real state, this serious illness dwindles down to an inconvenience of ill health, (*incommoda infirmitatis*), and is adduced only as a secondary motive; the principal cause of his delay in Europe is the insolence of the Sicilian rebels, (*insolentia rebellium Siculorum*). But this insurrection of the Sicilians is not recorded by any contemporary historian.

relationship of feeling, and being entirely void of that religious enthusiasm with which others devoted themselves to the liberation of the Holy Land, did not wish for the restoration of the Christian dominion in Syria. His great object was the entire subjugation of Italy, and with this he could not unite the defence of the kingdom of Jerusalem, to which it would be necessary he should dedicate his best strength during the whole of his life. He wished therefore to perform no more, in regard to the Holy Land, than his vow, his honour, and the universal expectation of the entire West, required of him; no more than he could effect without great sacrifices and without the forfeiture of the favour of the Moslem princes. He had already commenced negotiations with the Egyptian sultan Kamel, which, should he appear in Syria, at the head of so powerful an army, would be interrupted; for, with so great a force under his command, he would necessarily have to undertake something of importance, or the army would, without him, proceed to the recovery of all that had been lost. It is not, therefore, improbable, that the recent dissolution of the army was to him an expected, it was certainly a welcome, event.*

In the deepest grief at the destruction of all those hopes, which had been nourished by him and the entire of Christendom, Gregory declared, in September 1227, that Frederic, as he had violated his vow, and had not observed the other two conditions—the restitution of the sums which had been raised from cloisters and churches for the purposes of the crusade, and the maintenance of two thousand knights,—had, according to the treaty of St. Germano, incurred excommunication. The pontiff had been informed by the prelates, who had

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* Frederic repeatedly assured the Saracen chieftains, that his object was not so much the recovery of the holy city, as the preservation of his authority; he was necessitated to do something, not to lose his good name in the west. See the letter of Frederic to the Sultan of Cairo, preserved by the Arabian historian Dehebi, in Michaud, Bibliographie de Croisades, ii. 714. Reinaud Extraits des Historiens Arabes. Frederic had received rich presents from the Sultan Malec, Michaud, p. 776.

joined the crusade, that the illness of Frederic was only pretended; he would not therefore admit of this excuse from the emperor, but declared, that if indications of repentance were shown by him, he would proceed with leniency against him. He objected to Frederic his acts of oppression in the kingdom of Sicily, which were such that a pope could hardly permit them in any country, not at all in a kingdom which was a fief of the Roman see: he reminded him that he had adhered to the emperor's own declaration, by which, in the event of the violation of the treaty of St. Germano, he had pronounced excommunication upon himself: he conjured him at the same time to return without delay to the bosom of his anxious mother, the Church, as he, the pope, was willing to forget all, as far as he could do so without injustice. Instead of answering in a spirit of peace to these mild invitations, and of advancing towards a reconciliation with the papal see, Frederic gave a free rein to his long restrained hatred, and in a letter to the sovereigns of Europe he poured out his indignation in the bitterest reproaches. He, who before had named the Church of Rome the friend and protectress of his youth,* now called her a step-mother, who had robbed him of his possessions, who wished to subject all free men to her yoke and to force gold from all. He called upon all princes to unite with him in the annihilation of the papal tyranny. He at the same time endeavoured to win over the Romans to himself: he purchased from the powerful Frangipani their vast possessions, with which he then reinvested them and received from them the oath of fidelity. When at Easter in 1228, the pope repeated the sentence of excommunication against the emperor, because he had slighted the first, because he had plundered the knights-templars and hospitallers, and because he had violated the treaty which he had made, and in which the Roman see was part, with the count of Celano, the Frangipani excited

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* We have seen that Frederic had made these declarations in reference to his having been the ward of Innocent III.—See p. 33.

an insurrection against him, before which he was compelled to retire from Rome to Perugia.

In August 1228, Frederic went, accompanied by only a small force, into Palestine, but the pope renewed against him the sentence of excommunication, as, previously to his departure he had not obtained absolution: he caused the sentence to be published in the east, and transferred the command of the knights and pilgrims to other leaders. Frederic's relations with the Church, and his secret negotiations with the Saracens, excited the suspicion and opposition of the chiefs of the Syrian Christians and in particular of Gerold, patriarch of Jerusalem, and of the grand masters of the Templars and Hospitallers. His confidential intercourse with the sultan Kamel and the Saracens, his undisguised contempt of the Christian religion and his predilection for the manners and institutions of the Moslems, which awakened even in the Muhammedans the idea, that in his heart, he was attached to Islam, could only increase the dissatisfaction and diffidence of the Christians. According to a narration of Matthew Paris, which has been apparently confirmed by a more recent Arabic chronicle, the templars and hospitallers went so far in their aversion, which Frederic had increased by many acts of violence, that they gave intelligence to the sultan Kamel of the means of seizing the person of the emperor. But this narration is very improbable; for, as it was well known, both sovereigns, the sultan and the emperor, were on terms of friendship with each other, and Frederic never, either then, or later, when he so often repeated his unjust accusations against the two orders, objected to them this act of treachery.

By the peace, or rather, by the armistice of ten years, which Frederic concluded with the sultan of Damascus, he received from the latter the city of Jerusalem, with the exception of the temple of Solomon, of the chapel of Sacra, and of the district between the Holy City and Ptolemais, and upon condition that the walls of Jerusalem should not be restored. Whilst Frederic sent to Europe the most magnificent accounts

of the success of his expedition, the sultan justified to his fellow Muhammedans his concession to the emperor, by the remark that he had surrendered only bare walls, plundered houses and churches. And, in fact, according to Arabian authors, Frederic had asked for Jerusalem, only "that at his return into Europe, he might hold up his head amongst its kings," and with the previous stipulation that he would renounce any advantage which the possession of the city might give him. With the exception of the Germans, who were devoted to the emperor, all the Christians of Palestine were indignant at this treacherous treaty, which placed every advantage in the hands of the Saracens, and which could not prevent the sultan of Damascus from expelling the Christians from Jerusalem. The patriarch commanded, that, without express permission from the pope, the holy places of the city should not be devoted to the services of religion, or visited by the pilgrims. Contemning this prohibition, Frederic entered Jerusalem, and, in the church of the Holy Sepulchre, placed the regal crown on his own head, and caused a document to be read, by the German master, Hermann von Salza, in which he declared, that the pope had excommunicated him to avert from himself disgrace before men, and added that Gregory had sent letters of censure against him into Syria, because he had heard, that he, the emperor, had assembled his army not for the liberation of the Holy Land, but to make war against the Church. He then left Jerusalem: he forbade the patriarch to maintain knights for the defence of the Holy Land, and ordered that all crusaders should, under heavy penalties, return to Europe. Preachers, who dared to denounce these proceedings, he caused to be dragged from the pulpit and to be scourged. He returned to Apulia, in May 1229.

In the meantime, the duke Raynald, who had been appointed by Frederic administrator of the kingdom of Sicily, and his brother Berthold the imperial lieutenant in Tuscany, commenced a war against the pope, which had for its principal object the devastation of the papal dukedom of Spoleto, to which Raynald asserted that

he had a right of inheritance. It is difficult to believe that the two brothers would have begun a war so perilous to themselves, without the command, or at least without the approbation, of the emperor; and it is remarkable, that whilst Frederic proceeded with so small an army to Syria, he should have left so powerful a force at the disposal of his officers. Whilst Raynald, desolating all before him, fell upon the march of Ancona, Conrad seized the fortress of Prusa, near Mursia, and permitted the Saracens in his army to torture its inhabitants to death. The pope's excommunication would here have been pronounced in vain: he therefore resolved to meet force with force. He opposed to Raynald an army under the command of John of Brienne, king of Jerusalem, and by marching another force into Apulia, obliged the duke to a speedy return. This invasion by a papal army, to which Gregory found himself necessitated by his duty to defend his own territory from the insolent attacks of his enemies, was afterwards represented by Frederic as an unprovoked attempt to deprive him of his hereditary kingdom. He landed at Brundusium, and negotiations were commenced, which, by the labours of the Dominican Gualo, and by the mediation of the German princes and bishops, led to the peace, which was concluded at St. Germano, in July 1230. Frederic bound himself to obey the pope in all those things, the primary causes which drew upon him sentence of excommunication, to restore all that had been taken from the Church in the districts of Ancona and Spoleto, to leave hereafter these territories inviolate, to pardon all his enemies, and no more tyrannically to oppress the clergy. The princes who were present pledged themselves that the emperor would observe these conditions, and Frederic himself engaged to surrender to the German grandmaster, and to the bishop of Reggio, some castles as pledges of his good faith. The excommunication was then withdrawn, and Frederic visited the pope at Anagni. He afterwards boasted of this benevolent and

public proceeding, which extinguished within him all rancour of heart.

The most peace-loving and condescending pontiff that ever sat upon the throne of Peter, could not long have yielded to the wishes and designs of a monarch like Frederic. The emperor, in 1233, solicited the pope to arbitrate in his contest with the Lombards; but the decision of Gregory, that an amnesty should be granted, and that injuries inflicted on both sides should be mutually repaired, and that the Lombards should supply five hundred knights for the defence of the Holy Land, did not satisfy Frederic. To his complaint, that Gregory had not imposed a sufficient satisfaction on the Lombards, the pope replied, that the imperial commissioners had raised no complaints against the confederate cities, and that if the emperor were not content, he would withdraw his judgment, and place the affair in its former position. But this did not serve the purpose of the emperor. When, soon after this period, his son Henry, to whom he had entrusted the government of Germany, had, in conjunction with the Milanese, revolted against his father, Gregory espoused, in a manner the most decided, the party of Frederic. He declared all confederacies against the emperor to be invalid, and commanded, that, unless Henry should immediately submit to his father, excommunication to be pronounced against him through the whole of Germany. The young prince, abandoned by his followers, was compelled to surrender to the emperor, by whom he was kept in confinement until his death, in 1242. There now appeared, therefore, to exist, at least externally, a well-formed relation and a mutual confidence between the two heads of Christendom; and when Frederic, even with the counsel of the pope, espoused a third wife, Isabel of England, he left to Gregory the decision of her dowry. And yet even at this moment the seeds of discord and of ill-will were opening. In his innermost heart, Frederic was an implacable enemy of the popedom, of which he despised the power, and the whole authority of which appeared to him, from his

point of view, founded on error and deceit: it was to him, at one time, an unwelcome monitor and intolerable chastiser; at another, an impediment to the union of his dominions, and again, a feudal superiority which, in his pride, he could not brook. He looked upon all Italy as his birth-right, and in an epistle to an Italian noble, he stated this to be his object, that as Jerusalem was the inheritance of his son Conrad, as Sicily was his own from his mother, and Germany belonged to him, Italy, surrounded and pressed upon (*conculcatum*) by his dominions, should become subject to him, and form part of the one empire.* Not only Lombardy was to be subdued, but the territories also of the Church of Rome, were to be taken from it and added as a province to the dominions of Frederic. But the pope must have looked forward to this moment, in which the earth now trembled beneath his feet, and only the alternative was left to him either of flight into a foreign land, or of disgraceful dependance upon an emperor, who would have used him as an instrument for his political designs, and would have made him feel the full weight of his hatred against the Church and its chief bishops. Gregory, now an old man of more than ninety years, entangled on all sides in the most serious difficulties, who had to meet the frightfully increasing heresy of the Cathari, to protect the falling Latin-Byzantine empire, and to save the remains of the Christian possessions in the east, to engage in continual contests with the restless Romans, who frequently obliged him to leave the city,—would willingly have preserved peace with the emperor as long as his duty and station would have permitted him, and only the extreme danger which threatened the very existence of his see, could have induced him to engage in a conflict of life and death with a prince, than whom no other, since the days of Charlemagne, had possessed greater power, and who was resolved to employ every weapon within his reach to humble his hated foe.

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* See Vigonius, Historia de Regno Italiæ, lib. xviii. page 80; Venet. 1591, folio.

Frederic, who now felt himself strong enough to subdue the Lombards, would accede to no accommodation of the quarrel suggested by the pope, and seized as a pretext to recal his ambassadors the somewhat tardy arrival of the Lombard delegates. He had appeared in Italy with an army, when an insurrection, headed by the duke of Austria, obliged him to return into Germany, and to request the pope to effect a reconciliation with the confederated cities. Gregory immediately sent legates, and called upon the Lombards to meet in a diet at Mantua; but, in August 1237, the emperor returned into Italy with a more powerful army, which had been strengthened by numerous additions, and, confident of victory, would not once admit the papal legates into his presence. In the battle of Cortenuova, the Lombards suffered an entire defeat. Thus humbled, they offered submission, under the most oppressive terms; but the tyrant, who was drunk with victory, who possessed all the vices of his father and grandfather, without the virtues of the latter, required unconditional surrender. But the Lombards, before whose view the fate of the Apulian cities, and the cruelties exercised in Padua, and in the march of Traviso, by Frederic's ally and son-in-law, the ferocious Ezzelino, were still present, declared that they would rather die in the last combat of despair, than yield their lives to the hands of the imperial executioner. Gregory seemed fated to behold the fall of the last bulwark of the Roman see, and the emperor, in derision, sent to him the standard of the Milanese, to Rome, where his party, headed by the Frangipani, now, for the first time, took up arms against the pope. But many other wrongs now took place, which dispelled all doubt of the real intentions of the emperor, and obliged the pope to adopt extreme measures of defence. A nephew of the king of Tunis, who had been converted by the Dominicans, and who was travelling to Rome to receive baptism, was seized by the emperor and imprisoned. To the complaint of the pope, Frederic answered in contempt, that the prince had been deceived, and could

not embrace the Christian faith, without the permission of his uncle. Against the churches and ecclesiastics of the south of Italy, Henry proceeded in open hostility; he banished the principal prelates; he permitted many priests to be cruelly tortured and to die in prison; he deferred the appointment to vacant bishoprics; so that Gregory, in his bull of excommunication could name twenty churches, which were left without pastors, through the fault of the emperor. He permitted the Saracens, who were more devoted to him, as being an enemy of the Christian religion, than were the Christians, to destroy churches, and to form of the materials mosques and other buildings. Finally, he seized for his unmarried son Enzio, who was betrothed to the daughter of a Sardinian chieftain, the island of Sardinia, which had now, for a long time, acknowledged the dominion of the papal see; and when Gregory brought to his mind his often repeated oath, by which he had bound himself to protect the Roman see in the possession of Sardinia and Corsica, he answered, that these islands had been lost by the Roman empire, in times of trouble, and that he had before sworn to recover for the empire all its earlier possessions. By this answer, he placed clearly in view his designs upon the other parts of the patrimony of the Roman Church. As Gregory found that his exhortations and prayers had been made in vain, and being confident of assistance, by a treaty which he had made with the Venetians and Genoese, he pronounced sentence of excommunication against Frederic on Palm Sunday, 1239, and released all his subjects from their oath of fealty, as long as he should continue out of the communion of the Church. The motives which induced the pope thus to act, besides those that have been named above, were the following:—that the emperor had caused an insurrection in Rome for the expulsion of the pope; that, contrary to his treaty, he had not restored their property to the templars and hospitallers; that he had treated all those attached to the Church, in Sicily, with great cruelty, and plundered and expelled them; that, besides Sar-

dinia, he had seized upon Massa, Ferrara, and other parts of the States of the Church, that he had plundered of their goods the churches and cloisters in Lower Italy, that he had oppressed them with heavy burthens, that he had impeded the cardinal bishop of Palestrina in the execution of his legation, that he had imprisoned a messenger sent by the king of England to the pope, and finally, that he had prevented the recovery of the Holy Land and the restoration of the Byzantine empire. On account of the general accusation of infidelity which was made against the emperor, the pope observed a peculiar mode of proceeding against him.

Frederic answered to these accusations by denying many of them and by artfully representing others: he, at the same time, in his circular to the kings and princes, loaded the pontiff with the most revolting complaints and calumnies. He endeavoured, in particular, to spread the report, that Gregory had acted only in favour of the rebel Lombards, and from the circumstance that Milan was the chief seat of the Cathari, he took occasion to dwell, with peculiar emphasis, upon the accusation that the pope defended heresy, whilst he, the emperor, the true defender of the Church, laboured to eradicate it. In his hatred, he descended to personal abuse, and accused the pope, an aged man of more than ninety years, of the most shameful crimes. This called for a serious answer of the pope, in which Frederic's perjury and tyranny were severely reprehended, and in which he is declared to have asserted, that the entire world had been deceived by three seducers,—Moses, Muhammed, and Christ; that the birth of the Son of God from the Virgin was no more than an idle fable, and that man should believe nothing which could not be proved by natural events, or by ocular demonstration. It has often been said that these accusations, which were confirmed by the licentious habits of the emperor, which had often been reproved by the pope, by his inclination to astrology, and by his confidential intercourse with the Saracens, were the inventions of party hatred; but the fact is too clearly proved, and is

now placed beyond doubt, by the authority of a Moslem contemporary,* that the emperor, in his interview with the Saracens at Jerusalem, spoke of the Christian religion only to deride it.

The pope required the German bishops to publish the excommunication of the emperor throughout Germany: but Frederic, who thought that, with the aid of the Germans, he could subdue Italy, had rather increased than diminished the rights and liberties of the spiritual and temporal princes. The remonstrances of the pope, which related to distant† affairs, and with which they were little acquainted, found in them but a weak response. The bishops, therefore, besought the pontiff to labour for a restoration of peace with the emperor; and a papal legate, Albert Beham, archdeacon of Passau, essentially injured the papal cause by his weak and yet overbearing conduct, and by the abuse of the powers that had been entrusted to him. Presuming on the protection of Otho, duke of Bavaria, he pronounced sentence of excommunication against the prelates who refused to publish the censures that had been inflicted on the emperor. These were the archbishop of Salzburg, the bishops of Passau, Ratisbon, Augsburg, Freysing, Eichstadt, and Wurzburg, together with some princes and cities. The consequence was, that the papal ban fell into contempt even amongst the people: the bishops publicly opposed it, and the duke of Bavaria, threatened by king Conrad and the duke of Austria, obliged the legate to retire from his dominions.

Frederic now expressed his indignation against the Romans, because they had permitted the publication of the censures against him in their city. He called upon the cardinals to convoke a general council, in which he would expose all his accusations against the pope. The strongest of these was, that he had required of the sultan not to restore the lands which he had conquered in Palestine. Every one who should convey a papal letter

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* See the narration of an Imam (a priest) of the great mosque of Jerusalem, in Reinaud, Extraits des Historiens Arabes relatifs aux Guerres des Croisades, page 434; Paris, 1829.

into his territories he condemned to death by torture. This punishment was inflicted upon a Franciscan friar. All ecclesiastical orders were compelled to give pledges that they would remain faithful to him. Churches were burthened with heavy imposts to defray the expenses of the war; many bishops who were thought to favour the pope were exiled and the revenues of their sees conveyed into the imperial treasury. Notwithstanding this conduct, Frederic lost no opportunity of declaring that he still was orthodox, and, disregarding the excommunication which he had incurred, he caused the divine service to be performed in his presence. The papal legates exhorted the Lombards to persevere in their resistance: the bull of excommunication was published by the bishops, in France and in England, and in both countries a tribute was levied by the clergy upon themselves for the support of the pope: but Lewis the Holy delayed to transmit the monies collected in France, as he yet hoped for an amicable termination of the contest between the emperor and the pope. In 1240, Frederic entered the papal states with an irresistible army: he subjected to himself the principal cities and undertook to free them, "in virtue of his imperial authority," from the oath of fidelity which they had sworn to the Church of Rome: he approached the city and sought to win the Romans to his party by pompous promises and offers of gold, and to excite them against the pope. But Gregory inflamed them to such a height, by his representations of the miseries that were about to be inflicted by the emperor on the Church, and by a solemn procession, in which the heads of the apostles were borne through the city, that the Romans formed a crusade to combat against the emperor. Frederic, in his rage, inflicted the most cruel tortures upon all those who fell into his hands and who had taken the cross against him: he caused them to be mutilated and burned. All the Dominicans and Franciscans, except two in each cloister, in the kingdom of Sicily, were banished, and their churches and monasteries were given up to plunder; for Frederic well knew how to

fight against the Church with the gold and treasures of the Church. The condition of the pope grew every day worse and worse, and still more, when he saw himself abandoned by the powerful cardinal Colonna. He then summoned a general council to consult upon the state of the Church, and, together with the bishops, invited kings and princes to attend.

It was now shown how Frederic wished to avoid all examination of the complaints raised against him by Gregory. He well knew that the great majority of the Italian bishops, after all that they had seen of his violence, after all that they had been doomed to endure from his oppression, could not be disposed otherwise than against him, and that the German bishops, who had hitherto been so favourable to his cause, after their journey through Italy, and after they should have learned, at the council, his excesses against Rome and against ecclesiastical persons and things, could hardly continue to defend his cause. He, therefore, who had only a short time before earnestly required the meeting of the synod, now sent letters to prevent the assembly, and gave for his reasons the frivolous complaints, that the pope, in his letter of convocation, had spoken, not of the restoration of peace, but "of the weighty and difficult circumstances of the Church," as the cause of its meeting; that he had summoned princes, who were rebels against his imperial majesty, such as the doge of Venice and the count of Provence; and that the bishops, amongst whom were the English prelates, by granting supplies to the pope, had proved themselves his (Frederic's) enemies, would not dare to oppose the pontiff. That he might terrify the prelates and others from attending the council, he declared in a circular of his chancellor, Peter de Vinea, that all the coasts, harbours and roads were guarded, and that the bishops, who might fall into the power of the emperor, should feel the heaviest weight of his indignation. To excite the guards to greater vigilance, he promised them, that they should retain all the plunder that they might take from the captive prelates. When a great number of bishops

and abbots had assembled to proceed to Rome by sea, Frederic requested them to travel by land, that he might consult with them and lay open to them the true state of affairs, and assured them that they might then continue their way unimpeded to Rome. But the bishops, who had beheld his endeavours to prevent the celebration of the council, confided not themselves to his declaration. He therefore commissioned his son, Enzio, to bring them at any price into his power, to sink their ships, or to put them to death. His will was done. The united fleets of the emperor and of the Pisans captured, on the third of May 1241, in the Pisan waters, the Genoese ships, which conveyed the prelates. They sunk some, but took the greater part, and thus three papal legates, the archbishops of Rouen, Auch, Bordeaux, the bishops of Nîmes, Agde, Carcassonne, Tortona and Pavia, the abbots of Cluny, Citeaux and Clairvaux, with many delegates and procurators, in all about one hundred persons, fell into the hands of the emperor. The archbishop of Besançon was killed, either during or after the battle, and his body was thrown into the sea. The prisoners were put in chains and carried to Apulia, where they were confined in different castles, in which many of them died, in consequence of the ill-treatment which they had endured on the sea and in the imperial prisons. Frederic, after some time, liberated the French prelates at the repeated and finally threatening representations of the French monarch.

Frederic exultingly announced his victory, and, as if he wished to display his implacable hostility against the Church to the eyes of the world, he boasted of his conduct (which was indeed a violation of the rights of nations), towards the foreign prelates. He now seriously prepared himself for the capture of Rome, and pressed every day more closely upon the city. To the earnest solicitations of his friends, that he should, before all things, turn his attention to the Moguls, who had invaded Hungary and who threatened the German empire, he answered that the entire subjection of Italy

now claimed all his attention. The pontiff, who had almost reached his hundreth year, now fell beneath the weight of sorrow and affliction, rather than of age, and at his death left the Roman Church in a more melancholy, more hopeless state than was that into which it had been thrown before the death of Gregory VII.

SECTION II.

INNOCENT IV.—THE COUNCIL OF LYONS.—DEPOSITION OF FREDERIC II.*

After the death of Gregory, twelve cardinals, in October 1241, elected as his successor Goffredo Castiglioni, a Milanese and bishop of Sabina. The new pontiff took the name of Celestine IV. To effect a peace, he sent an embassy to the emperor; but he survived his election only eighteen days. The papal throne was now, for a long time, vacant. Many of the cardinals, to avoid the violence of the Romans, which they had experienced during the last election, fled from the city and shut themselves up in different fortresses, to escape the fury of the emperor. Frederic put on the appearance of a wish to facilitate the election of a new pontiff: he wrote letters to the cardinals, reprehending them for their cowardice; and as in like circumstances his actions always gave the lie to his words, he caused the territory around Rome, particularly those portions belonging to the cardinals, to be cruelly desolated; he permitted his hordes of Saracens to destroy a number of churches; and all this he did under the pretext, that he wished to force the cardinals to the choice of a new pope. He, at the same time, again

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* The Two Biographies of Innocent IV, by Nicolas de Curbio and Bernard Guidonis, in Muratori SS. Rer. Ital. tom. iii. p. i. page 589 et seqq.;—Nicolai de Jamsilla, Historia de Rebus Gestis Frederici II, ejusque filiorum, Conradi and Manfredi (1210-1258), in Muratori, viii. 489;—The Acts of the Synod of Lyons, in Harduin, vii. 335 et seqq.

rejected prayers that were presented to him, that he would come to assist his subjects against the incursions of the Moguls. Finally, after Frederic had liberated from prison the cardinal Otho and the bishop of Palestrina, an election was effected at Anagni. The choice fell upon the cardinal Sinibaldo Fieschi of Genoa, who took the title of Innocent IV.

When the news of this election reached Frederic, he declared his apprehension that he had lost a friend amongst the cardinals, and had gained an enemy in the person of the pope. No pope could be a Ghibelline. He, however, sent a splendid embassy, the bearer of friendly declarations to the pope; but the declaration "with reservation of the rights of the empire and of our sovereignty," must, if understood in the sense intended by Frederic, have excluded every hope of a reconciliation. The pontiff nevertheless sent to him delegates, who were commissioned to assure him of the great desire entertained by the pontiff for peace; to insist before all things upon the liberation of the captive ecclesiastics and laics who had been taken in the sea fight; and to make to Frederic, in the name of Innocent, a proposition, that if he considered himself aggrieved, he should refer the difference to a general council of spiritual and temporal princes. The delegates were authorized to state that the Roman see would, if required by this council, recall the sentence which it had pronounced against him, and would give him full satisfaction. With these favourable proposals of the pope the affair was commenced, and when Frederic was called upon to make good his complaints against the Roman Church, he had nothing of importance to adduce except the imprisonment of the Ghibelline chieftain, Salinguerra. He, therefore, had recourse to pretexts the most feeble; such, for example, as that the pope had named as his legates the archbishop of Mentz, who was hostile to him, and the bishop of Avignon, who was of the same disposition towards the count of Toulouse; he also made it a

subject of complaint against the pope that he had not yet extirpated heresy from Lombardy.

The conditions of peace appeared now to have been finally arranged. The principal of these conditions were, that the emperor should restore to the Church all its former possessions; that he should liberate and indemnify the captive prelates; that he should permit the exiled ecclesiastics and laics to return to their homes; that he should guarantee security to all who had borne arms against him; that he should undertake certain good works in expiation of his offences; and that he should publicly declare that he had hitherto not submitted to the sentence of excommunication, not in contempt of the ecclesiastical power of the keys, but because he had thought that it did not in this case affect him. In return, all his rights, honours, and possessions, were to be restored to him undiminished. The plenipotentiaries of Frederic had publicly sworn to these articles, and the pope, to be nearer to the emperor, had gone with the cardinals to Citta di Castello, and afterwards to Sutri, when Frederic suddenly returned and declared, that he would not restore the lands of the Church, nor liberate the prelates, until he had been absolved. This Innocent could not grant, as it was directly contrary to ecclesiastical discipline, and as the oftentimes proved want of faith, on the part of the emperor, gave reason to suspect that he would endeavour by deceit and subterfuges to free himself from the fulfilment of the conditions of peace. He had, in the meantime, continued his exertions to subject to himself the remaining parts of the ecclesiastical states; and to establish himself firmly in Rome, he had obtained from the Frangipani the half of the Colosseum, with the castle not far distant. He also guarded the roads, harbours, and bridges, that he might prevent all communication between the pope and foreign churches, and cut off all supplies: his son Conrad exercised the greatest cruelties upon the monks who fell into his hands, either coming from the pope, or journeying to him. A body of the imperial troops, which had ap-

peared before Sutri, removed all doubt respecting the views of Frederic, and Innocent now saw that his only hope of safety was in flight. He, therefore, secretly embarked with the cardinals on board a Genoese fleet which was lying at Civita Vecchia. He landed at Genoa, and proceeded thence to Lyons, greatly to the disappointment of the emperor, who thought that he had taken him in his snares, and that he was already in his power.

At Lyons, on the festival of St. John, in 1245, Innocent convoked the council which his predecessor Gregory had proclaimed. Kings, prelates, and princes, were called to consult on the general state of Christendom, on the preservation of the Holy Land and of the Latin-Byzantine empire, to deliberate upon the repulsion of the Moguls, and on the controversy between the Church and the emperor. As no embassy could approach the emperor, the pontiff invited him to attend the council, either in person or by his delegates, in a public discourse, which he delivered at Lyons. The emperor, in the meantime, had, through the patriarch of Antioch, proposed new conditions of peace. He offered to submit his quarrel with the Lombards to the decision of the pope and other arbitrators, without, however, pledging himself to the terms of the peace of Constance, which he had never recognized. The pope answered, that if the emperor would liberate the captive prelates before the opening of the council, and restore the provinces of the Church, he would willingly conclude peace with him. But Frederic, who was as little sincere in his present offers as he had been on former occasions; who sought only to gain time, and who, on account of the defection of many powerful barons from the Lombard league, again entertained hopes of subduing all Italy, performed nothing.

At Lyons there appeared the Latin patriarchs of Constantinople and Antioch and about one hundred and forty—according to another account, two hundred and fifty—archbishops and bishops from Italy, France, Spain and England, the Greek emperor Baldwin, the counts

of Provence and Toulouse, and ambassadors of the sovereigns of France and England. From the states of the emperor, except some exiled bishops, there came only the imperial delegate the archbishop of Palermo and Thaddæus of Suessa. Thaddæus endeavoured to delude the assembled prelates, in whom he perceived a feeling unfavourable to the emperor, by glittering promises of great things, which the emperor was willing to perform. He promised nothing less than the union of the Greek with the western Churches, the restoration of the Latin empire in the east, the expulsion of the Chowaresmians from Palestine, the annihilation of the Saracens, and the destruction of the Moguls,—mighty performances, towards which Frederic had hitherto done nothing, some of which he had rather prevented. He also asserted that the emperor was ready to restore all that had been taken from the Church and to give full satisfaction for his past excesses. With a few words Innocent reduced these pompous declarations to their real worth: he added, that he required no more than that the emperor should fulfil the conditions of the peace which, by his plenipotentiaries he had, in the preceding year, sworn to observe: he asked, who would now pledge himself that the emperor would faithfully perform his present offers? When Thaddæus named as arbitrators the kings of England and of France, the pope with reason declined to receive them, as Thaddæus had not been empowered by these monarchs to mention their names, and as the Church could not enter into a contest with them should Frederic again prove faithless to his word. Innocent then described in a lengthened discourse the past conduct of the emperor: he accused him of heresy; for a want of faith, no less than errors in faith, was, in this age, designated by this name. To confirm these accusations, he appealed to the emperor's contempt of ecclesiastical censures, to the favour shown by him to the Saracens, and to his immoral intercourse with Saracen women whom he retained in the palace. He next accused him of perjury and faithlessness, as he had broken the peace to which he

had sworn in 1230, and as, in spite of his repeated oaths to maintain the Church in its rights and possessions, he had rather plundered it and acted cruelly towards it: he added, that Frederic, in all the letters which he had circulated, had asserted that his hostility was directed not against the Church but against the person of the pope, and yet, during the vacancy of the papal see, he had exceeded his former violence. He, at the same time, caused to be read the documents which Frederic had given to pope Honorius and also extracts of the privileges which had been granted by him and by former emperors and kings of Sicily to the see of Rome. He accused him also of having violated his duty as vassal; for, as the emperor himself had often confessed, he possessed the kingdom of Sicily as a fief of the see of Rome, and still he had borne arms against his liege lord and had not paid tribute. He complained, finally, that he had incurred the guilt of sacrilege by the cruelties which he had exercised upon the persons of the bishops who were travelling to the council. This last point, which was confirmed by the numerous friends and relatives of the prelates, who had not yet arrived, or who had been imprisoned, threw such an odious light upon the tyrant, who thus boldly opposed himself to all human and divine ordinances, and exposed so clearly the falsity of his promises and declarations, that all those who had before spoken in his favour either remained silent or declared against him. To Thaddæus of Suessa alone was reserved the ungracious task of his defence.

But this defence confirmed the council more than the accusations of the pope in its conviction of Frederic's guilt; for against the chief points Thaddæus had nothing substantial to reply, and indeed many of his grounds of defence seemed to partake of contempt and scorn. He met the accusation of the emperor's infidelity with the remark that the emperor tolerated no usurers in his dominions. In answer to the reproach that the emperor had employed the Saracens, who at his command shed the blood of Christians in torrents, and

who, in the destruction and plunder of the churches had been his ready instruments, he remarked that the emperor, by employing the Saracens, had spared the blood of Christians. He thought that he could meet the accusation regarding the immoralities of the emperor, by assuring the council, that Frederic retained the Saracen women in his court only for pleasure and for the execution of works of art. To the complaints of the imprisonment and ill-treatment of the prelates, he had the front to declare that this event had caused grief to the emperor, was only accidental, and was against his intention: and yet the emperor had commanded all his subjects, under pain of perpetual exile, to seize, to plunder, and to imprison every prelate, who might fall into their hands, travelling to the council. When Thaddæus was asked why then the emperor did not liberate bishops and abbots who had been imprisoned against his will? he could find no other answer than that Gregory had not convoked the council in due form, and had summoned laymen, who were enemies of the empire, and that, moreover, the cardinal of Palestrina with some others who had been sentenced by the emperor to banishment, had, by their subsequent conduct, excited his indignation. He then produced some papal letters, from which he wished it to be inferred that moderation had been wanting on the part of the pontiff: but these letters rather justified the pontiff, for, from them, it was evident that Innocent had always spoken conditionally, the emperor unconditionally, and that, therefore, the guilt of perjury and want of faith fell only on the latter.

Besides the pope, other prelates also, and in particular, the bishop of Calvi, in Apulia, and the archbishop of Compostella, in Spain, appeared as accusers of the emperor. The archbishop requested the pope to proceed at once against the tyrant, and promised him the assistance of all the bishops of his nation, who had therefore come in great numbers to the council: the same was promised by many other prelates. During the third session, Thaddæus asked for a suspension of proceedings as the emperor was on his way to Lyons.

The pope consented to a delay of a fortnight, contrary to the wish of many of the bishops, to whom their prolonged absence from their dioceses and their sojourn in a city crowded with men, had become burthensome. The emperor had at length in the interval from 26th of June to the 17th of July, the term of the third session, given the command for the liberation of the captive prelates and for the withdrawal of his troops from the States of the Church, or at least, he declared to the pope that he had given these orders, that the sentence of deposition might be averted from him. This had not been required of him, but only that he should send plenipotentiaries with full authority to negotiate and conclude a new peace. But Frederic in fact was still faithless, and continued to pour out his indignation in reproaches against the pope. Some time later he asserted, that the bishop of Freysing, the grand-master of the Teutonic knights, and Peter Delle Vigne, his chancellor, had been sent by him as his delegates, but that the pope would not wait for them after the delay which he had appointed; but these ambassadors never appeared at Lyons, nor are they mentioned by any contemporary.

When in the third session, Thaddæus had seen the sentiments of the council, he transferred his appeal to a future and more general council, as in this, he said, all the bishops and princes were not represented. But the pope replied, that the number of those who were present was sufficient, and that those who had not appeared had been impeded by Frederic, to whom this new proof of his ill will was by no means favourable. He then declared, being required to do so by the general sentiment of the council, that the time was now come, in which he was bound to proceed against Frederic, as an obstinate contemner of the sentence of the Church, and that on account of the crimes, which had been fully proved against him, of perjury, felony, and of sacrilege, and of the suspicion of heresy, which he had incurred, he was deprived of his dignity and power: he declared also that all oaths, which had been taken to him, were

no longer binding. Sentence of excommunication was then pronounced against all who should obey Frederic as emperor or king, and Innocent caused it to be proclaimed that those to whom belonged the right of electing the king of the Romans, should proceed unimpeded to a new election, and that he, the pope, would provide, with the counsel of the cardinals, for the government of the kingdom of Sicily. The prelates acceded to the judgment of the pope, by casting their lighted tapers to the ground and by affixing their seals to the deed of deposition. No one opposed the sentence. The English bishops, at the first mention of deposition, in the second session, had interceded in favour of Conrad, the son of the emperor; for the son, they said, ought not to bear the penalty of the guilt of his father. But Conrad had already by his actions proved that, with regard to the Church and the clergy, he had already imbibed the spirit of his family, and that he would not depart from the path which his father and grandfather had opened before him.

In Germany, Frederic had so far lost his former favour with the princes, or so many of them were convinced of the justice and necessity of the sentence, which had been pronounced against him at Lyons, that the archbishops of Mentz, Treves, Cologne and Bremen, the bishops of Wurzburg, Naumburg, Ratisbon, Strasburg and Spire, the dukes of Saxony and Brabant, together with many counts and lords, in presence of the papal legate Philip, bishop of Ferrara, elected as king Henry Raspo, the landgrave of Thuringia, whom Frederic had appointed administrator of the empire. This election took place at Hochheim, near Wurzburg, in May 1246. Conrad was compelled to abandon even the lands of his inheritance, but in February 1247, Henry, the new king, died. Some months later, William, the young count of Holland, a nephew of the duke of Brabant, through the exertions of Capucius, the papal legate, and of the archbishops of the Rhine, was elected as his successor. The count palatine of the Rhine,

Otho, duke of Bavaria, and now also the duke of Saxony, defended the cause of Frederic.

To free himself from the suspicion of heresy, the emperor submitted to an examination before several bishops, abbots and monks, whom he sent to the pope as witnesses of his orthodoxy. Innocent appointed three cardinals to examine the case: he declared the act to be invalid, but, at the same time, informed the emperor that he was prepared personally to receive his justification, if he would come to Lyons with a small and peaceful retinue. The king of France, at the request of Frederic, endeavoured to bring about a reconciliation between him and Innocent, but the pope, bearing in mind the former conduct of Frederic, declared all his promises to be uncertain and treacherous, and thus the attempt of the French monarch proved fruitless.* It is certain that the emperor's good fortune had now forsaken him, and that after the judgment pronounced upon him at Lyons, blow after blow came rapidly upon him. In central Italy many even imperial cities, first Treviso, then Pisa, espoused the cause of the pope. The Guelfs, whom Innocent supported by money and troops, rose with power against him: Frederic himself suffered a signal defeat before Parma, and his son Enzio was overcome and taken prisoner by the Bolognese. His acts of implacable revenge and cruelty rendered him every day more odious: he caused the captive bishop of Arezzo to be disgracefully executed. He revenged a conspiracy in Sicily, after the manner of his father, upon women and children, and in 1241 he put out the eyes of Pietro Delle Vigne, his most confidential counsellor and "right arm," the author of the outrageous manifesto against the papal see. Loaded with the heavy weight of these crimes, and with the sentence of the Church still upon him, he died in 1250 at Fiorentino in Lower Italy.

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* Matthew Paris relates at length the interviews which Lewis had with the pope to effect his purpose, at Cluny: but in the history of this period he has mixed up many gross errors with much that is good, so that his narration, where it is not supported by contemporary writers or by documents, merits little or no belief.

Never since the time of Charlemagne had monarch possessed greater means of doing good: but the use to which he turned these means, converted the blessing into a curse: it led to the destruction of his entire family, and to the most frightful confusion of all things in Italy; and the papal see, which to all appearance came forth from the contest, victorious indeed, but not without severe wounds, felt the consequences of this conflict even after centuries had passed away.

One of the most prejudicial of these consequences was the necessity, in which the popes were placed by this long and bitter strife, of imposing heavy taxes upon foreign Churches. Despoiled of all their Italian possessions, driven from Rome, or scarcely tolerated in that city, burdened with debts and assailed on every side by demands for assistance, they were compelled to provide for the maintenance of a numerous clergy of high and inferior degree, to compensate their impoverished adherents, to support with money the war, which was carried on in Germany and Italy in the cause of the Church: but they possessed not an income commensurate with these many necessities. The popes who had combated in the contest on investitures, had found themselves in a not less state of oppression, but they had not recourse to the severe imposts to which, in the present age, Gregory IX and Innocent IV were necessitated. Then, however, there existed the universal conviction that the pontiffs were the champions of the entire Church; that in the great conflict for ecclesiastical freedom and purity, the welfare of every member participated in the welfare of the head. Every one who wished well to the Church, from the lowest monastic lay-brother to the archbishop, co-operated freely, and without thinking that he offered a sacrifice, in the triumph of the good cause; even laymen possessed an insight into the nature of those things, for which the contest was waged, and displayed spirit enough to take part in the contest for the good of the Church, at his own cost and not as a mercenary. But things were changed in the last contest between the popes and the

family of the Hohenstaufen. This conflict was not immediately for the freedom and integrity of the Church, but for and against the existence, or at least the independence, of the papal see. That the former and latter were intimately connected with the welfare of the Church and of its head, might perhaps be admitted as an abstract truth, but hardly could it be practically felt; and to the great body of the clergy and laity it might appear, that the contest was principally a quarrel for the possession of territories, and which did not therefore call for their participation. Had not Frederic, by his infidelity, and by his treacherous as well as foolish conduct against the prelates, who were travelling to the council, proved himself to be the public enemy of the universal Church; and had not the popes found a strong support in the newly founded orders of the Franciscans and Dominicans, they would with difficulty have succeeded in securing to themselves the public favour; they would probably have fallen in the contest.

But now, when Gregory and Innocent called frequently for a portion of all ecclesiastical benefices, which amounted sometimes to a twentieth, sometimes to a tenth, and even to a greater portion of the revenues; when, in particular, Innocent, who, during his residence of ten years at Lyons, had no other dependance than the contributions of the clergy, carried his demands still higher; and when he was compelled to provide for the many Italian ecclesiastics, who had been exiled and deprived of their incomes, by granting them benefices in foreign Churches, discontent became more general and more loud; the bond of love and of confidence, which united the different Churches to the see of Rome, became less firm. Many bishops indeed acknowledged the justice of the papal demand, and even the austere and inflexible Robert Grosseteste, bishop of Lincoln, answered to his sovereign Henry, when the monarch reproved him for levying this tax upon the clergy in his diocese, that what he and his fellow-bishops had done in this respect ought not to excite wonder; that they should rather expose them-

selves to a just reproach if they had not done this, or even more, unsolicited and uncalled, for their spiritual father, who, driven from his church and straitened by persecution, was despoiled of his patrimony and deprived of what was most necessary to him.* But in general, the voice of the clergy was not favourable to the exactions of the popes. It was remembered also that the Roman clergy had long suffered from the evil fame of pride and venality: to this was added the avarice or incapacity of many of the officers, who were employed by the pope in the difficult task of collecting the tax; nor were the numerous libels and accusations, which were carefully circulated by the friends of Frederic against the pope and the cardinals, without their effect. In these writings, the heads of the Church were represented as hypocrites, who in all their proceedings were actuated by no other motives than those of a boundless avarice and ambition. At the synod of Lyons, therefore, the English delegates spoke in the strongest terms against the too frequent and too heavy taxes of the pope. When, a short time after, Innocent required a twentieth from the poorer, and a greater sum from the richer, of the English ecclesiastics, they returned to him a long list of their burdens, and appealed from him to the next general council; they finally compromised by the payment of eleven thousand pounds. That the grant of so many benefices to the ecclesiastics of his court or to other exiled and impoverished Italian priests, was an abuse, Innocent readily confessed; but he pleaded in his justification the extreme necessity in which he and so many ecclesiastics had been thrown, particularly during his long sojourn at Lyons.

After the death of Frederic, Innocent returned to Italy; he visited several of the Lombard cities, remained at Perugia till 1253, from which place he proceeded to Rome. He now considered the kingdom of Sicily as a fief of the Roman see, which had reverted back to its

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* Epist. cxix. in the Appendix ad fasciculum rerum expetendarum et fugiendarum; ed. Brown, Londin. 1690, fol. p. 390.

lord: at his command, many nobles and cities, such as Naples and Capua, raised the banner of the Church, whilst Manfred, the natural son of Frederic, sought to secure the kingdom, but whether for himself or for his brother Conrad is uncertain. Conrad himself soon appeared at the head of a German and Italian army: he conquered Apulia, and drew down upon himself sentence of excommunication, for the pope would not recognise as king of Sicily the man who, in his hatred of the Church, in severity, in cruelty, and in faithlessness, too nearly resembled his father: he therefore resolved to confer it upon some prince who had strength to win it and to retain it. He accordingly made advances to Richard, count of Cornwall, brother of the king of England, and afterwards to Charles of Anjou, brother of the king of France; but as he could come to no conclusion, he resolved to place the English prince Edmund in possession of this kingdom. Conrad died, loaded with the hatred of the nation, leaving behind him a son named Conradine, whose guardian, Berthold of Hohenburg, requested the pope to grant to this child the fief of Sicily. Innocent rejected the prayer, but granted to him the kingdom of Jerusalem, the dukedom of Suabia, and his other rights, even those in the kingdom of Sicily, and decreed that the inhabitants of this kingdom should take an oath of fidelity to him and to the Church of Rome, "with reservation of the rights of the son of Conrad." As liege lord, the pope wished to administer the government of this kingdom during the minority of Conradine, and, above all things, to obtain the acknowledgment that the kingdom had reverted to the see of Rome. Conrad's faithless brother, Manfred, entered into negotiations with the pope at Anagni. He subjected himself to him, and the pope sent an army, which was commanded by the cardinal Fieschi, into Apulia. In 1254, Innocent followed the army to Naples. The murder of the count Borello da Anglone, who was favoured by the pope, caused a rupture between Manfred and Innocent. Manfred attacked the papal troops with an army of Saracens and Germans,

defeated them, and overran all Apulia. Innocent died at Naples in December 1254, and was succeeded by the cardinal Reginald, the son of the count of Segni, and nephew of Innocent and Gregory. He was elected at Naples, and took the name of Alexander IV.

SECTION III.

ALEXANDER IV.—URBAN IV.—CLEMENT IV.—GREGORY X.—NICHOLAS III.—MARTIN IV.—HONORIUS IV.—NICHOLAS IV.—CELESTINE V.*

ALEXANDER IV refused to confirm a compact which had been made between the cardinal Octavian and Manfred, by which Manfred and Conradine were to be invested with the whole of the kingdom of Sicily except the Terra di Lavora. He refused his consent, because the negotiations of the English court, respecting the transfer of the Sicilian crown to Edmund, the second son of the king, were being brought to a conclusion. But Manfred, profiting by the report of the death of Conradine, caused himself to be crowned king of the two Sicilies, at Palermo. He took and plundered Aquila, which favoured the cause of the pope, he placed himself at the head of Ghibellines, in Upper and Lower Italy, and excited such commotions in Rome that the pope was necessitated to flee to Viterbo. Alexander excommunicated Manfred; but the confusion which now reigned in England, and the want of money, prevented the young prince Edmund from accepting the proferred crown. Alexander, therefore, in 1260, entered into new negotiations with Manfred. He promised to invest him and to acknowledge him as king, if he would

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* Sabæ Malaspinæ libri VI Rerum Sicularum (1250-1309), in Muratori, viii. 781.—Barthol. de Neocastro, Historia Sicula (1250-1294), in Muratori, xiii. 1001.—Matthæi Spinelli Diario del Regno di Napoli (1247-1268), in Muratori, vii. 1055.—The Biographies of St. Peter Celestine, by the cardinals Giac. Stefaneschi and Peter d'Ailly, in Acta SS. Bolland. Maii iv. 457 et seqq.

restore their estates to the exiled barons of his kingdom and dismiss from his army the Saracen troops, who waged a cruel warfare even against women and children. But, instead of complying with these conditions, Manfred called to his assistance a greater number of Saracen soldiers, and laying waste all before him, poured his troops upon the Roman Campagna. Alexander died in May 1261, and the cardinals elected as his successor James Pantaleon of Troyes, patriarch of Jerusalem, who had been archdeacon of Liege, afterwards bishop of Verdun, and who had now come to Viterbo on the affairs of his Church.

Against an enemy, dangerous as was Manfred, the new pope, Urban IV, adopted more decisive measures. He besought the king of France to name a prince of his family to the throne of Sicily. But Lewis at first hesitated, for the English king Henry III had requested him to interest himself with the pope in favour of his son Edmund, and he thought that even if Conradine had forfeited his right to Sicily, it had passed by investiture to Edmund. But the pope represented to him that neither a descendant of Frederic II, who had lost his claim by his crimes, nor Edmund, who with his father had delayed to fulfil the proposed conditions, had any title to the kingdom of Sicily. The papal legate now offered the crown for the second time to Charles, count of Anjou, the brother of Lewis. Urban, at this time, sent a citation to Manfred, in the same manner as Alexander IV had done, requiring him to answer before the apostolic see for the crimes of which he stood accused:—the plundering of the city Ariano, the murder of many barons and of an ambassador who had been sent by Conradine to the pope, the contempt of all ecclesiastical censures, and the oppression of Sicily. But Manfred refused to meet the pope on the conditions proposed by Urban, and continued to desolate the states of the Church. Urban endeavoured therefore the more zealously to bring the negotiations with France to a speedy conclusion. Charles was named senator of Rome, a crusade was proclaimed against Manfred,

when the pope died in 1264, on his way to Perugia from Orvieto, in which city Manfred threatened to besiege him. The cardinal Guido Fulcodi, a native of St. Gills, in Provence, and who was then absent as papal legate, was elected at Perugia, and took the name of Clement IV. Lewis and his brother now accepted the terms upon which the count was to receive the investiture of the kingdom of Sicily. He pledged himself to pay a yearly tribute of eight thousand ounces of gold,* never to seek the union of the German regal or imperial crown with the crown of Sicily, to maintain three hundred knights for the defence of the Ecclesiastical States, to restore the goods of the Church, to grant to all classes liberties and privileges which they had enjoyed before the accession of the Suabian king. Assisted by the tenths of the French bishoprics and by subsidies from the pope, Charles prepared an army and appeared in Rome, in 1265: he took the oath of fidelity and of liege homage to the cardinals who had been sent by Clement from Perugia, and was crowned together with his consort, in January 1266. The time had arrived in which the pope, who had been severely straitened by Manfred and the Ghibellines in the north and in the south, should receive some relief. In a battle near Beneventum, in which Manfred fell amongst the slain, Charles obtained a decisive victory, the consequence of which was the quiet possession of the entire kingdom. But as heavily as the yoke of the Hohenstaufens, and perhaps even more heavily, the yoke of the French oppressed the inhabitants of the kingdom of Sicily: the pope failed not to warn and to exhort Charles to mildness and justice; but the severe monarch, whom success had made haughty, heeded but little his warnings and exhortations.

A new competitor for the Sicilian throne now came

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* This tribute was paid as late as the reign of Ferdinand, father of the present sovereign of Naples. On the festival of SS. Peter and Paul, immediately after the high mass in St. Peter's Church, the pope makes a solemn protest against the discontinuance of the tribute. (*Transl.*)

upon the scene. The young Conradine, encouraged by the stedfast adherence to the house of Suabia, assumed the title of the king of Sicily, and made preparations for an expedition into Italy. The pope, acting up to his uncontested right, that with Frederic II, who, by the violation of his feudal fidelity, had forfeited his title to the kingdom, his descendants also had lost their claims, threatened Conradine with excommunication; and, as this prince continued his preparations, sentence was pronounced against him. When, in 1267, Conradine appeared in Italy and everywhere raised the fallen spirits of the Ghibellines, Clement deprived him also of the kingdom of Jerusalem and placed his dominions under an interdict. The Roman senator, Henry of Castile, who was indebted for his rank to king Charles, prepared for the young prince a splendid reception at Rome: the people proclaimed him emperor, and under the most favourable auspices and at the head of a powerful army, he proceeded on his expedition against Apulia. But the battle of Tagliacozzo verified the prophecy of the pope, that all this brilliant power should be scattered like smoke before the wind. Conradine and his cousin, Frederic, prince of Baden, were taken on their flight, and that weight of woe, which for a century the crimes of his ancestors had collected together, now fell upon their descendant, who, in comparison with them, might be deemed an innocent man. In vain did the pope exhort Charles of Anjou to proceed with mildness; in vain did he request the king of France to intercede with his brother in favour of the prisoners. On the twenty-ninth of October 1268, the head of the last descendant of the noble house of Hohenstaufen fell upon the scaffold at Naples.

A month later the pope died at Viterbo, and not before two years and nine months did the cardinals, who during this whole period remained enclosed in the conclave, unite in the election of a successor. Their choice fell upon Teobaldo Visconti of Piacenza, archdeacon of Liege, who was at that time at Acre in Syria. The new pope took the name of Gregory X, and was consecrated

at Rome, in March 1272. He directed his attention chiefly to the preservation of the last remains of the Christian power in Syria, and to the restoration of peace in Italy, by a reconciliation between the Guelfs and Ghibellines. To form a new crusade and to effect a union of the Greek with the Latin Church, he, in 1274, convoked the second general council of Lyons. On his journey through central and upper Italy to that city, the pope endeavoured to establish peace and order in the cities, which had been disturbed by the wars of contending parties; but king Charles, by whom he was accompanied, had in view far other plans, which were, to subject to himself first Tuscany and Lombardy, and afterwards the whole of Italy. Gregory, who was not aware of the designing arts of his ambitious vassal, employed with too much prodigality the censures of the Church, partly to enforce peace and good order, and partly, though unconsciously, in subservience to the projects of Charles. He placed Florence and Milan under interdict, but with no other effect than to render the spiritual arms of the Church of less power in Italy, and to weaken the influence and authority of the clergy. Even the popes were to be taught by experience that it is easier to keep the good and the evil inclinations and passions of men under the most severe restraint, than to collect the once unloosened elements, and to restore the tranquillity of a well ordered state in the contest with the bitterness and self-interest of parties.

In Germany, after the expedition of Conrad IV into Italy, king William had reigned with little authority, and lost his life, in 1266, in a campaign against Holland. Richard, count of Cornwall, was then elected king, by the archbishop of Cologne and several other of the German princes, whilst the archbishop of Treves, in his own name and in the name of Bohemia, Saxony and Brandenburg, named as king of the Romans, Alphonsus X, king of Castile, who was related through his mother to the family of Hohenstaufen. The termination of this contest seemed to lie with the pope, in the grant of the imperial crown. Both princes sent their delegates

to Alexander IV, who however, with the advice of the cardinals, left the cause undecided. Richard guaranteed to several cities particular privileges, and remitted to them the oath of fidelity which they had taken to him, should the pope reject him and require them, under pain of excommunication, to acknowledge another. The design of some princes to raise Conradine to the throne of Germany, caused the pope, Urban IV, to declare that he never would consent to the reexaltation of a family which had ever proved itself the implacable foe of the Church, and in 1264, he exhorted the two aspirants to the German crown, Richard and Alphonsus, to submit, as they had promised, their claims to his tribunal. But as the one allowed the appointed time to pass, and as the other did not provide his ambassadors with the necessary power and documents, the cause was protracted till the death of Richard, in 1272. Alphonsus, who had never been in Germany, and who had made no efforts to secure to himself the German crown, was no more considered by the princes of that nation, and when Gregory X required them to proceed to a new election, with the declaration, that otherwise the Roman see must provide a chief for the empire, the archbishop of Mentz guided the choice of the electors, in 1273, in favour of Rudolf, count of Hapsburg. Rudolf had been one of the most powerful adherents of the house of Hohenstaufen, and the spiritual princes in particular gave the preference to him, as they deemed him to possess the strength and resolution necessary to support the trembling throne, and to restore the broken unity of the empire. In a most respectful letter he besought the pope to confirm the election, and to grant him the imperial dignity: he promised on his part to observe all that Otho IV and Frederic II had sworn, in 1209 and 1220, and promised on his oath to attack neither the possessions nor the vassals of the Roman Church, nor without the permission of the pope, to assume any dignity (in particular the rank of Roman senator) in the States of the Church or in Rome, not to pretend to the kingdom of Sicily, nor to oppress the vassals of the

Church who had assisted king Charles against Frederic and his successor. Gregory then acknowledged Rudolf as king of the Romans, and exerted himself to induce Alphonsus of Castile to withdraw his claims. Alphonsus consented only through fear of excommunication, and in consequence of a domestic war, which compelled him to resign this object of his ambition. In October 1275, Gregory and Rudolf met at Lausanne. Here the king took the cross and promised to proceed to Rome the following year for his coronation: he swore to defend the Roman Church in its possessions, and in particular of the exarchate and Pentapolis, the march of Ancona, the dukedom of Spoleto, with the dominions of Matilda, and the islands Corsica and Sardinia. The pontiff and the king were in relations of perfect amity; but the holy pope died at Arezzo, in January 1276, after his departure from Lausanne. Considering the inconvenient delay of the last papal election, he had prescribed in the synod of Lyons the order of future conclaves, in which the cardinals were to remain enclosed until the election should be finally completed. The three follow-popes occupied the chair of Peter only eighteen months. Of the excellent Dominican Peter of Tarantaise, who, as archbishop of Lyons and as cardinal, had gained universal esteem, and who was now exalted to the papal throne with the name of Innocent V, the best hopes were formed: but he died in June 1276. He was followed on the throne, and, after thirty-nine days, into the tomb, by the Cardinal Ottobono Fieschi, a nephew of Innocent IV, who was named Adrian V. Peter, a Portuguese, who had been celebrated as a physician, and who styled himself John XXI, although he was in reality only the twentieth of that name, governed the Church with great activity for eight months. He was killed at Viterbo by the falling of the roof of his chamber.

The inhabitants of Viterbo obliged the eight cardinals to enter the conclave, which had been made free by the last pontiff. In November 1277, the cardinal Cajetan Orsini was elected with the name of Nicholas III. This

pope was the first who obtained the full confirmation of the papal authority over the States of the Church, for in 1279, King Rudolf formally resigned all rights of the empire over the dominions of the Church, from Radicofani to Ceperano: he also released the cities of Romagna from the oath of fealty which had been received by his chancellor, Hoheneck, in the name of the king. As soon as Nicholas had obtained this, he turned to his dangerous vassal, the king Charles, and obliged him to renounce the dignity of Roman senator and the vicariate of Tuscany, the holding of which would have been against the rights of Rudolf, so soon as he had obtained the imperial crown. The pontiff then decreed that, for the future, no foreign prince should bear the title of Roman senator. He died soon after, in August 1280, bearing the reproach of having immoderately exalted his already too powerful relatives, the Orsini, but associated, unjustly, by the great Ghibelline poet of the age, as a simonist amongst those condemned to eternal torments. The judgment of Dante rests only on the unproved and improbable accusation, that being corrupted by John of Procida, with Grecian gold, he had favoured the pretensions of Constantia of Aragon to the crown of Sicily.*

The artful Charles had in appearance willingly subjected himself to the demands of Nicholas III: it was not in his policy to come to an open rupture with the papal see. It was to his advantage to procure the election of a pope who should be devoted to him, and prove himself subservient to his plan. For this purpose

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* Dante was borne too far away by his political feelings, when in his great poem he placed this pontiff, who is praised by contemporary authors of distinction for his integrity and religion, amongst those who suffer torments for the heinous crime of simony. He thus makes him speak: (*Inferno*, canto xix.)

"Se di saper ch' io sia, ti cal cotanto,
Che tu abbi però la ripa scorsa,
Sappi, ch' io fui vestito del gran manto:
E veramente fui figliuol dell' *orsa*,
Cupido sì, per avanzar gli *orsatti*,
Che su l' avere, e qui me misi in borsa."—(*Translator.*)

he proceeded to Viterbo. Richard Anibaldi, who favoured his designs, raised a tumult amongst the people, drove the two cardinals Orsini from the conclave, and their intimidated colleagues elected the French cardinal Simon de Brie, a man according to the heart of Charles. To this unhappy election may be traced all the woe which came upon the papal see, its fall and degradation. The art, the policy, and the tyranny of France, from this period, inflicted deeper wounds upon the dignity and authority of this see than the haughty hostility of the Hohenstaufens. Martin IV, the new pontiff, began by revoking the bull of his predecessor regarding the rank of senator; he assumed this title himself, and then conferred it upon Charles. He created nine cardinals, of whom four were French; he introduced into the States of the Church French knights as rectors, by which act he re-enkindled the contests between the Ghibellines, which had been in some degree subdued by Nicholas, and instead of placing himself in a position of reconciliation between the two parties, he disgraced himself by becoming the instrument of Guelfic animosity, and of the ambitious designs of Charles. Hence he did not hesitate not only to put Forli under an interdict, as it was considered the metropolis of the Ghibellines, but to punish it also with the confiscation of its possessions. Soon after, Martin proceeded to acts of greater violence. The Sicilians, exhausted by new imposts, groaning under the tyranny of the royal officers, and embittered by the cruel haughtiness of the French, threw off the yoke in 1282, when the sign was given to them by the massacre of all the French who were at Palermo.* The inhabitants of this city endeavoured to exculpate themselves with the pope by stating to him the intolerable oppressions and violence of the strangers; but Martin pronounced sentence of excommunication against them, and against all who should invade Sicily, the fief of the Church, or in any manner assist the rebels. This threat did not, however,

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* This massacre is known by the name of the *Sicilian Vespers.*

restrain Pedro, king of Aragon (who supported his claim on the right of inheritance of his wife Constantia, the daughter of Manfred) from accepting the crown, which was offered to him by the Sicilians, and from receiving their homage at Palermo. The pope was not slow with new censures. He went so far as to deprive Pedro of his kingdom of Aragon, which was a fief of the Roman see, and afterwards of the kingdom of Valentia, which, with the countship of Barcelona, he offered to Philip, king of France, for one of his sons. Philip received the offer in favour of his second son, Charles. The pope, to facilitate the subjugation of these countries to him, proclaimed a crusade against Pedro, but the Spanish cities, bishops, and magistrates, remained stedfast in their fidelity to their king. Philip's crusade failed, and he died before his return to France. Not more happy was the attempt of his nephew Charles to reestablish himself in Sicily, although Martin left nothing untried to promote the cause of his creature, and for this purpose granted him the ecclesiastical tithes of Scotland, Denmark, Sweden, Poland, and Hungary. Martin and his king died in 1285, the former at Perugia, as he had never been able to enter the city of Rome during his pontificate, on account of the troubles which reigned there. He was the first among the popes who adopted that narrow-hearted and short-sighted policy which provides only for the wants of the moment, and which without choice seizes any present means without regard to remote consequences.

Honorius IV—so the successor of Martin, the aged and paralytic cardinal Giacomo Savelli, was named—followed, but with greater prudence, the path which his predecessor had opened before him. The whole of Sicily was placed under an interdict; the bishops of Cefalu, Neocastrio, and Squilacci, were deposed, because they had crowned James, the son of Pedro, as king of Sicily. But, on the other hand, the pope gave to Sicily (the throne of which had become vacant, after the death of Charles, by the captivity of his son) many wholesome laws, by which the power of the king was

restrained, and the imposition of taxes was confined to those four occasions, which were observed in other parts of the west—war and rebellion, the ransom of the princes from captivity, the defence of his sons, and the dowry of his daughters. He, at the same time, decreed, that a violation of this law should be made the subject of appeal to the see of Rome, which should compel the king, by the gradual application of ecclesiastical censures, to return within the limits of the law. After his death, in 1287, the election of a new pope was not effected before the following year, when the cardinal Jerome of Palestrina, who had been general of the friars minor, was chosen as his successor. He had taken upon himself the dignity of cardinal against his own will, and only in obedience; and it was not until he had long resisted, and had been three times elected, that he submitted to the burden of the papacy. He took the name of Nicholas IV. He was as little able as his predecessors to bring back Sicily to the dominion of the house of Anjou, or to induce James of Aragon to withdraw his pretensions to the crown, although the brother of James, king Alfonso of Aragon, in dread of another French invasion, deserted the cause of his brother in 1291, and even promised to compel him to surrender his rights. The death of the king, and the return of James into Aragon, did not change the condition of Sicily, for Frederic, his younger brother, took upon himself the government of the island. The exertions of this pope in every direction to raise another crusade for the defence of the still existing power of the Christians in the east, were in like manner fruitless: the last place which had been defended by the Europeans, the city of Acre, was now lost. All that was undertaken in succeeding times by the popes, or by individual princes, to recover what had been lost, was of no avail, and the Christians were by their own fault excluded for ever from the land of their desires, which during the short period in which it remained in their possession, they had made the theatre of their contests, their crimes, and their folly. After the death of Nicholas IV,

in 1292, the papal see remained vacant for twenty-seven months; for the twelve cardinals, who were divided between the parties of the house of Colonna, which was favoured by the last pope, and of the Orsini, who were devoted to the house of Anjou, could not unite, although they frequently met in conclave at Rome and at Perugia. Their attention was at length accidentally directed to a pious monk, who lived as a hermit on Mount Morrone. The cardinal Latino Malabranca proposed him to the conclave, and the other cardinals gave their voices in his favour. The messengers from the cardinals, who bore to him the intelligence of his exaltation, found a venerable old man, emaciated by his severe abstinences, who beholding, in this extraordinary election, the providence of God, thought that he might not oppose it. Charles II, king of Naples, and Charles Martell, the titular king of Hungary, immediately visited the new pope, and knew so well how to ensnare this simple, artless, and inexperienced man, as to make him the unconscious instrument of their own designs. It was probably at their suggestion, that he resolved to remain at Aquila, in the Neapolitan territory, and answered the invitation of the cardinals, that he would proceed for his coronation to Perugia, by requiring them to hasten to him at Aquila. He was here consecrated, in August 1294, and took the name of Celestine V. The cardinals soon learnt that a word from the king was of more weight with the pontiff than their counsel. He decided on the most important affairs without communicating with them: he named twelve new cardinals, of whom seven were French and three Neapolitans: he lavished favours with prodigality; he granted, without much thought, benefices and dispensations, and incensed the cardinals by renewing the decree of Gregory X, respecting the conclave, and by his attempt to contract their expenses, and to oblige them to a more severe mode of life. His removal from Aquila to Naples showed that he would not withdraw himself from the influence that ruled him. But he found the pontificate an oppressive bur-

den; and in the season of Advent, that he might devote himself undisturbed and in greater solitude to his accustomed exercises of piety, he wished to entrust the government of the Church to three cardinals,—a step that was prevented by the cardinal Matteo Orsini. His wish to resign his exalted dignity grew within him every day more strong, and he therefore sought the opinions of the learned on the question, whether it were lawful for a pope to abdicate. As soon as the Celestine monks, who were around him, were made acquainted with his intention, they and the king did all in their power to divert him from his intended purpose. A great procession of the people and clergy appeared before his palace, and implored him not to retire from them. But to their earnest entreaties he returned a decided answer. He soon after published a constitution, declaring that a pope could resign his dignity, and that the cardinals could receive his resignation. He then announced to the assembled cardinals, that, being induced by a sense of his unworthiness, by a desire of solitude, by the fear of staining his conscience, and on account of his bodily infirmities and inexperience, he placed in their hands the dignity with which they had invested him. In December 1294, the cardinal Benedict Gaetani of Anagni, one of the most learned jurists of his age, and who, for thirty years, had been engaged in the most important affairs of the Roman see, was elected supreme pontiff.

SECTION IV.

BONIFACE VIII.—CONTEST WITH PHILIP, KING OF FRANCE.[*]

THE new pope, Boniface VIII, recalled all the favours which Celestine had inconsiderately granted. He has-

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[*] Jacobi Cardinalis De Electione and Coronatione Bonifacii VIII, in actis SS. Maii. IV. 462.—Giovanni Villani.—Ptolemaeus of Lucca.—

tened from Naples to Rome, where, accompanied by the kings of Naples and Hungary, he was received with every demonstration of joy. His predecessor, who had now resumed the name of Peter of Morrone, could not, he thought, be left at liberty, as many who considered his abdication as invalid might make him the instrument of a schism. He caused him therefore to be enclosed in the strong fortress of Fumona, near Anagni, where, being ill-treated by his guards, he died on the 19th May 1296. Celestine was canonized, in 1313, by Clement V. Boniface possessed the qualities rather of a temporal sovereign than of a prince of the Church: his rash and inconsiderate proceedings, his overbearing character, which displayed itself in unpriestly haughtiness and arrogance, his treatment of spiritual things according to the principles of worldly policy; his disregard of the deepest religious relations, for which he had no thought; all this removed from his government the benediction of heaven, and involved him at length in those difficulties beneath which he fell.

When his attempts to reduce the island of Sicily again to the dominion of Charles II failed, through the aversion of the Sicilians to the yoke of France, and when the Sicilians called for Frederic of Aragon to be their king, he employed his entire apparatus of spiritual and temporal punishments, without once giving time for the thought, that a people, who for twenty-three years had despised the arms of the Church in the late contest for their freedom, would not now suddenly yield to them, and that consequently these censures, without producing the desired result, would be the certain cause of many evils. But such popes as Martin IV, Boniface VIII, and some of their successors, when not restrained by a calculating prudence, seemed to have had no other guide than the bare letter of their right, which they too often carried to extremities, heedless of the fatal

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(P. du Puy.) Histoire du différend d'entre le Pape Boniface VIII et Philippe le Bel, Paris, 1655. fol.

Joh. Rubei, Bonifacius VIII, Romæ, 1651. 4.—Baillet, Histoire des démêlés du pape Boniface VIII avec Philippe le Bel, Paris, 1718.

inheritance, which they were preparing for their successors, and without considering that a right, however firmly grounded, may, if asserted unconditionally and with all its consequences, become an intolerable tyranny.

In 1297, Boniface proceeded to extremities against the powerful family of Colonna, two members of which were in the college of cardinals. This family favoured the cause of Frederic of Sicily, whilst their opponents, the Orsini, were devoted to the house of Anjou. Sciarra Colonna had plundered the papal treasury, and as the chiefs of the family had neglected to comply with the demand of the pope, who required them to surrender the fortified castles, which they held in the States of the Church—Palestrina, Colonna, and Zagarolo, he published against them a bull, which was conceived in terms of extreme severity: he deprived the two cardinals, James and Peter Colonna, of their dignity, as they had refused to present themselves, when required, before him, and published against them and their adherents a sentence of excommunication. They therefore published a manifesto, in which they declared, that they did not recognise him as lawful pope, since Celestine could not resign the pontificate, which was a dignity conferred immediately by God, the bearer of which was bound to the Church by an indissoluble union, and that Celestine had been persuaded to this step by the arts of Boniface, from whom they now appealed to the decision of a general council. The pope declared them guilty of schism and of heresy; he confiscated their goods, and proclaimed a crusade against Palestrina. When the Colonnas surrendered and delivered Palestrina into his power, in 1299, the implacable Boniface commanded the city to be destroyed, and another to be built on a different site, with the name of Città Papale. The inhabitants fled, some to Sicily, some into France, and others remained concealed. With the same severity he proceeded against some Genoese, who had assisted king Frederic: he was not satisfied with ordinary censures, but pronounced

against them a formal act, and delivered their persons and their property as a prey to their enemies.

In Germany, Adolf of Nassau had been elected king after the death of Rudolf; but, in 1297, many of the princes resolved to depose him, and to place on the throne Albert, the son of Rudolf, duke of Austria. The concurrence of the pope was requested but not obtained: the contest was then decided by the sword; for, in 1298, Albert deprived his opponent in a battle of his kingdom and of his life, and was proclaimed king by the electors. To the ambassadors of Albert, who sought from the pope an approbation of his election, Boniface answered: that, being guilty of high treason and the murder of his king, he was unworthy of the crown. In April 1301, he published a bull, addressed to the ecclesiastical electors, in which Albert was required to answer by his ambassadors for his high treason against king Adolf, and for his perjury and other crimes against the Church, and to await the judgment of the pope. In 1302, a new embassy returned with a papal letter, which Albert did not venture to open. Such conduct on the part of the pontiff would seem to make less improbable the narration of two contemporary writers, who relate that Boniface now assumed the symbols of the supreme temporal power, that, girt with a sword and with the imperial crown on his head, he asserted that the papal and imperial powers were united in his person, and that, as the throne of the emperor was vacant, he should himself exercise authority over the people of Italy. As sovereign of the empire, he called to his aid the French prince, Charles of Valois, whom he named *Paciarius* of Tuscany. The odium of the cowardly or malicious conduct by which this worthy brother of king Philip threw the prospering city of Florence into a chaos of irremediable confusion, fell, in part at least, upon the pope.

Boniface, who was the most determined enemy of the Ghibellines in all Italy, was at the same time the champion of the Guelfs, and the friend and favourer of

the royal house of France, from which, however, the most painful mortifications and cruelties descended upon him. His first interference in the affairs of Western Europe was entirely in favour of France. In 1295, he exhorted Edward, king of England, to conclude a peace with Philip, and insisted that Adolf, the German king, should rescind his confederacy with England against France. In 1296, he commissioned his legates to require the three kings, under pain of excommunication, to enter into an armistice for two years, and offered to act as a mediator of peace between them. In this, he had in view not only the advantage of France, which appeared threatened by the present state of the war, but also the plan of a new crusade for the liberation of the Holy Land, for which purpose the re-establishment of peace was essential. But the two legates hesitated to present the command of the pope to the king of France. Boniface then published a new bull, to induce the kings to conclude the armistice, and soon after, with the twofold view of compelling the belligerent parties to consent to peace, by contracting their resources, and to protect the clergy against arbitrary exactions, he made public the bull *Clericis laicos.* The extent of the evil justified this act of the pope, for Edward of England had so far extended his practice of plunder and exactions, as to demand from the clergy one half of their entire income; and Philip had required from the ecclesiastics of his kingdom the fifth part of their moveable and immoveable property. The above bull subjected any ecclesiastic who should pay to a layman, and the layman who should exact from ecclesiastics without the consent of the pope, any extraordinary impost, to sentence of excommunication. Philip avenged himself by a general prohibition, which forbade the exportation of gold, silver, or precious stones, from his kingdom; in which prohibition he tacitly included the sums of money which passed from France to the court of Rome. The pope complained of this decree, which, if it affected ecclesiastical persons and goods, would be the cause of excommunications: he gave to his bull the mildest interpretation,

and renewed his solicitations that the decision of the dispute of the three kings might be left to him. The king answered this letter by the declaration that as ecclesiastics were members of the state, and partook of the royal protection, they should share also in the common burthens. But Boniface, to whom, in his favour of the Guelfs, which overruled almost every other consideration, and in his desire to unite himself closely with France, a quarrel with Philip was unwelcome, published, in February 1297, a letter to the king, expressed in the most conciliatory terms, in which he requested him not to extend the decree, prohibiting the exportation of money, to the tributes paid to the see of Rome. But when the legates presented to the king the papal bull which recommended the armistice, Philip declared that in the temporal government of his kingdom, which belonged exclusively to himself, he recognized no superior, and that he therefore despised the censures by which Boniface might endeavour to enforce the proposed armistice.

The pope, to whom the representations of the archbishop of Rheims proved that his exertions for the rights and liberties of the Church found neither favour nor support with the French bishops, now sent an explanation of the bull *Clericis* into France, such as the king might desire. He declared that his prohibition did not extend to free gifts of the clergy, not to feudal rights, nor to cases of the necessity of the state, the decision of which was left to the conscience of the king. Thus was this bull, as far as it regarded France, virtually recalled. Boniface applauded the zeal of the French clergy in applying their revenues to the support of the king; he confirmed their resolution to pay to him a tenth for two years; he granted him great and lucrative privileges; and as Philip had about this time suspended the law relative to the tributes paid to Rome, and as Boniface had solemnly canonized the grandfather of Philip, the holy king Lewis IX, a good understanding was established between them. Boniface persuaded the two kings of France and England to name him, in 1298, although not as pope, but as Benedict Gaetani, arbitrator

and mediator in their contests. He succeeded by his persuasions in effecting a peace.

But a series of violences, which the insatiable avarice of Philip and of his minister exercised against the property of the Church, obliged the pope to lay before the king new complaints and objections, which, however, were for a long time expressed in the mildest language. Philip seized the property of the church of Laon, the bishop of which had been suspended by the pope: he appropriated to himself the property which the cardinal John had bequeathed for pious purposes; he delayed to restore to the new archbishop of Rheims the temporalities of his church; his officers profited by the temporary suspension granted by Boniface of the annates of all benefices in France to oppress the clergy and to extort money from them and from their Churches: he himself took the countship of Melgueil from the bishop of Maguelone, who held it as a fief of the Roman see. To the viscount Amalrich he granted possessions which belonged to the Church of Narbonne. In this posture of affairs, Boniface, in 1301, sent Bernard of Saisset, bishop of the newly-erected see of Pamiers, to the king, with whom he had lately been engaged in a contest for the rights of his Church. He was commissioned, as it appears, to forbid the king to spend in an arbitrary manner and for other purposes the tenths that had been granted him for the crusade; to dissuade him from his aggressions on ecclesiastical rights; and so courageously, or so imprudently, did he execute this commission, that the embittered monarch caused matter of accusation to be collected against him by two of his council, to place him on his trial as guilty of high treason, for pretended observations on the personal immorality of the king and the corruption of his court; finally, and without granting him the opportunity of a defence, he cast him into prison. He then required of the pope to degrade him, that he might be punished by the civil power.

Boniface now entered with a more decided step upon the scene of action. He suspended the grant of the tithes of ecclesiastical benefices which he had made

to the king, on account of the abuses to which they had been subjected. On the same day, the fifth of December 1301, he addressed to the king the bull *Ausculta fili*, in which he reminded him that, even on earth, he had a superior, and that he was subjected to the head of the Church. He then enumerated to him his violation of the rights of the Church, by his arbitary appointment to ecclesiastical offices, by his oppressive imposts on the clergy, by his impeding the executive power of the Church, and the jurisdiction of bishops over monasteries, his avaricious application of the revenues of vacant bishoprics, his subjugation of the Church of Lyons, which did not belong to the kingdom of France, and finally his circulation of counterfeit coin. He at the same time announced to the king that he had called the French prelates and doctors to consult with him in a council in Italy, on the removal of these abuses, and that he, the king, was expected to appear in person, or by his ambassadors, at this council. This letter together with the convocation to the synod was conveyed by James the Norman, archdeacon of Narbonne and papal nuncio. He must also have been the bearer of another shorter epistle, wherein it was said to the king, in severe and harsh terms, that he was subject to the pope in temporal no less than in spiritual things, and which repeated in a few words certain points of the bull *Ausculta*. It is probable that Philip, to whom the publication of the bull with all its well founded accusations could not have been desirable, caused this shorter epistle to be circulated instead of the bull, and to this circumstance was referred the complaint of the pope, that the chancellor Flotte had corrupted the signification of his epistle to the king; and also the declaration of the Cardinal Aquasparta, that a letter circulated in France under the name of the pope had been suppressed.

The conduct of Boniface towards Philip had hitherto been calm and respectful. The king had appropriated to himself, under the name of Regalia, the revenues of all the vacant sees of his kingdom: this right had been established before his time with regard to the

feudal revenues of some churches; but the synod of Lyons, in 1274, had prohibited the extension of this right to churches which had hitherto been free. Philip moreover assumed the power of granting, during the vacancy of a see, all the ecclesiastical dignities, the institution to which belonged to the bishop. The pope did not directly prohibit these things, which in the hands of a Philip might prove most prejudicial to the Church, but insisted only that he should obtain the consent of the Roman see, and should thus act with permission, where he had before proceeded contrary to all right. But the revengeful disposition of Philip and the evil inclinations of his ministers, who carefully fanned the fire of discord, did all that could tend to bring about a rupture. With artful calculation did Philip learn how to avert the effect of an interdict, should the pope proceed to this extremity, and at the same time to increase the strength of his opposition by involving in the quarrel the three States of the kingdom. He called the prelates, the deputies of abbeys, chapters, and universities, the barons and the delegates of the cities, to Paris, and caused the papal bulls to be burnt in the presence of many of his nobles in February 1302. The nuncio and the bishop of Pamiers, whose trial was not yet terminated, were brought over the frontiers: a short letter was directed to the pope, in which the king addressed him as a fool *(tua maxima fatuitas);* he proclaimed that in temporal things, he was subject to no one, and that he would consider as mad any one who should dare to contest with him his ecclesiastical rights. It is indeed doubtful whether this composition was ever sent to the pope. It is difficult to connect it with the commission, with which Philip sent the bishop of Auxerre to the pontiff, requesting him in love to him not for the present to call the French prelates to Rome.

When the States had assembled on the tenth of April, in the church of Notre Dame, at Paris, the king declared to them that he commanded them as their lord, and requested them as their friend, to assist him with their counsel in the circumstances which had com-

pelled him to call them to him. The chancellor Flotte then related to the assembly, that Boniface had asserted that the king was subject to him in the temporal government of his kingdom, and must receive it from him as a fief: he had therefore called the prelates and doctors of the whole kingdom to Rome, that he might remedy the disorders and abuses which, he pretended, existed in the government of the kingdom. This declaration was followed by a pompous description of the oppressions to which the Gallican Church was subjected by thecourt of Rome. Flotte appealed to the reservations, the arbitrary grant of bishoprics and of the best prebends, to unknown, and sometimes to suspected and non-resident strangers: he appealed to the oppression of the churches by the grant of new pensions and imposts of every kind, to the restrictions of the archiepiscopal and episcopal rights. Even the privileges which the pope had granted to the king relative to ecclesiastical goods were now turned as accusations against him. The nobility and the delegates from the cities declared that they were prepared to spend their wealth and their blood for the independence of their kingdom, and asserted, that, should the king endure the aggressions of the pope, they would oppose them. The clergy, intimidated by the threat, that any one opposing these sentiments should be considered an enemy of his king and of his country, assured the monarch of their fidelity and assistance, but they requested that they might be permitted to obey the call of the pope to the Roman synod. This was denied them. An ordinance,* which Philip published as a confirmation of ecclesiastical immunities, as they existed in the time of St. Lewis, and for the security of Churches and ecclesiastics against the robberies and oppressions of his officers, proves that the objections of the pope were well founded, and that the king felt the necessity of conciliating the clergy by this act of tardy and necessary justice.

The prelates who formed part of this assembly, in a letter to the pope, besought him to preserve the ancient

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* Menétrier, Hist. de Lyon, p. 441, et Preuves, p. 82.

union between France and the Church, to recall the citation to Rome, and, above all, to proceed with caution and prudence, as the laity had resolved to treat all ecclesiastical censures, should they be employed, with contempt. In a tone of haughtiness, the nobles and the third estate of the kingdom addressed the cardinals: they would never permit that a king of France should recognize the pope as superior in temporal affairs: the removal of abuses in the government, which the pope was about to undertake in his synod, belonged only to the king. The cardinals remarked in their answer, that the pope had never announced to the king that he was his subject in temporals, or that he held his kingdom as a fief from him; that the pope wished with paternal care to remedy the abuses and the oppression which the nobility, the clergy, and the people were doomed to endure, and that he, therefore, merited their gratitude; if he had injured the French Church by the grant of tithes and other privileges, this was done only at the request of the king and in condescension to him; the objection, that strangers were promoted to French bishoprics, could apply only to two Italians, men of distinguished merit, and of whom the king could entertain no suspicion, Egidius Colonna, archbishop of Bourges, and Gerardus Pigalotti, bishop of Arras, who had both studied in the university of Paris, and the former of whom had been preceptor to the king. No pope had done more than Boniface in favour of the French, and especially for the poor scholars, who were neglected by the bishops. The pope himself answered the prelates in terms of severity, reproaching them that they had allowed themselves to be intimidated by worthless men, such as Flotte, and that they had repeated instead of discontinuing their schismatical discourse.

It appears, however, that Philip had hesitated to drive the pope to extremities. He permitted that four bishops should be sent to Rome in the name of the clergy, and that Robert, duke of Burgundy, should enter into negotiations with some of the cardinals who were his friends. The duke declared that the king was willing to make peace, if the pope would withdraw the

suspension of the privileges which he had before granted, and not insist upon the presence of the French ecclesiastics at the synod. Philip and his councillors feared nothing so much as the attendance of the French prelates at the Roman council. Boniface, therefore, held a consistory in August 1302, in which, justifying his bull *Ausculta*, he declared that it never was his intention to deny the distinction between the two powers which had been instituted by God, or to assume to himself the jurisdiction which belonged to the king, but that the king, like any other Christian, was subject to him in regard to sin. This distinction "in regard to sin," was introduced by Innocent III, in 1202, in the decretal *Novit*, upon which he founded his right of interfering in the contest between the kings of England and France. The negotiations of the duke of Burgundy failed, as the cardinals required, in the name of the pope, that the king should first humble himself and show signs of real repentance for the past. But Philip was so far from any idea of this kind, that he now refused to admit the pope as arbitrator between him and the king of England, and sequestrated the property of the bishops who had proceeded to the synod.

Boniface opened the council, at which there were present from France four archbishops, thirty-five bishops, and six abbots, in November 1302. One consequence of this council appears to have been the celebrated decretal *Unam sanctam*, which was made public on the eighteenth of November, and which contains an exposition of the relations between the spiritual and temporal powers. In the Church, it says, there are two powers, a temporal and spiritual, and as far as they are both in the Church, they have both the same end: the temporal power, the inferior, is subject to the spiritual, the higher and more noble: the former must be guided and directed by the latter, as the body is by the soul; it receives from the spiritual its consecration and its direction to its highest object, and must therefore, should it ever depart from its destined path, be corrected by the spiritual power. It is a truth of faith, that all men, even kings, are subject to the pope: if, therefore, they

should be guilty of grievous sins, in peace or in war, or in the government of their kingdom, and the treatment of their subjects, and should thus lose sight of the object to which the power of a Christian prince should be directed, and should give public scandal to the people, the pope can admonish them, since in regard to sin they are subject to the spiritual power; he can correct them, and, if necessity should require it, compel them by censures to remove such scandals. For if they were not subject to the censures of the Church, whenever they might sin in the exercise of the power entrusted to them, it would follow that as kings they were out of the Church, that the two powers would be totally distinct from each other, and that they were descended from distinct and even opposed principles, which would be an error approaching to the heresy of the Manichees. It was, therefore, the indirect power of the Church over the temporal power of kings, which the pope defended in these bulls, and he had designedly extracted the strongest passages of them from the writings of two French theologians, St. Bernard, and Hugo of St. Victor.

On the same day, the pope pronounced excommunication against all persons, who should in any wise impede or trouble those who were travelling to Rome, or returning from that city. But in neither of these bulls did he mention the name of the king, or of France: but on the eleventh of December, Philip renewed the law, by which he forbade his subjects to leave the kingdom without his permission, or to export money. But as the brother of the king, Charles of Valois, who had been so highly favoured by the pope, endeavoured to effect a peace, Boniface sent the cardinal John Le Moine of Amiens, as his legate into France, with twelve articles, which the king might either accept or correct. In these articles the king was required to withdraw his prohibition, forbidding his subjects to travel to Rome, to acknowledge the right of the pope to fill vacant benefices, to send legates wherever he might think proper, and to regulate the revenues of the Church: he was also required to give satisfaction for having burnt

the papal bulls, to correct the abuses springing from the right of regalia, to respect the rights of the Church, and to repair the evils that had been caused by the circulation of counterfeit money. The answer of the king, although expressed in terms of that respect due to the supreme head of the Church, could not satisfy the pope. Philip appealed to his inherited rights, which he had received from his predecessors; he spoke of some of the articles in words which meant nothing, he excused the adulteration of the coin by the necessities of the state, and denied that he had commanded the papal bulls to be burnt: a proof that he was at least ashamed of this fact. The pope declared himself dissatisfied with this answer. In April 1303, he cited the French prelates, who had not yet come to the council, to appear at Rome, and commanded his legates, if the king should still persevere in his refusal of the demanded satisfaction, to pronounce against him sentence of excommunication. The papal messenger was arrested, and imprisoned by the king's officers at Troyes, by whom also his letters were taken from him.

Before this period Philip had commissioned one of his council, William De Nogaret—the chancellor Flotte had been killed in the unfortunate battle of Courtray against the Flemings—to appear as the public accuser of the pope: Boniface, said the complainant, had intruded himself unlawfully into his see: he was a public heretic and shameless simonist, and loaded with such a weight of crimes that it would be necessary to condemn him as incorrigible in a general council, to elect a new pope, and to appoint, in the interval, an administrator of the Roman see. After this prelude, the king convened, at Paris, in June 1308, a numerous assembly of prelates and barons, at which appeared the chevalier William De Plasian, supported by four barons, with a long catalogue of accusations against the pope, the materials of which had probably been supplied by the Colonnas. By his denial of the immortality of the soul, and of the real presence of Christ in the holy sacrament, he was,—so his accuser asserted,—guilty of heresy: he had declared that a pope could not be

guilty of simony; he had caused the death of his predecessor, pope Celestine; he was devoted to magic: he had outraged the bishops and religious orders of the Church, and now persecuted France and its king with the most implacable hatred. To all this, De Plasian swore, and declared himself ready to produce his proofs before a general council: he appealed to this council against the censure which Boniface would pronounce against him. The king also and the assembly appealed, "with reservation of the honour due to the see of Rome," to the council, which Philip engaged to convene, and to the next pope canonically elected. Such conduct was without example. Appeals from the pope to a future council had been hitherto unknown in France, and here, by the appeal to the "lawful" pope, the judgment of the synod on the legitimacy of the present pontiff was usurped, and consequently a schism was already commenced. The prelates of the assembly —there were thirty-nine bishops, and eleven abbots— endeavoured to temper the odiousness of their proceeding, by declaring that they consented to the convocation of a future council, being induced by the necessity of the Church, and by their desire for the justification of the pope, without taking any part in the accusations against him: they consented to the appeal as a measure of precaution. Philip, on his part, promised his royal protection against the attempts of the pope, to all, ecclesiastics or lay, who had assisted him on this occasion: by his circular letters he required, that in the whole extent of his kingdom, the bishops, chapters, cloisters of all orders, universities, cities and provinces, should subscribe to the two articles,—the convocation of a council, and the appeal to a future pontiff. The entire nation seemed as if desirous of proclaiming that it bore with pleasure the yoke which the king was chaining on its neck, and that it would feel no gratitude to the pope who sought to lighten its slavery.

Philip now sent into Italy two noblemen with letters, in which the cardinals were invited to cooperate in assembling the council. With the same views, he wrote to Spain and Portugal. He placed a strict guard over

the papal legate, who, however, secretly withdrew into Italy. The pope, in the meantime, to provide himself with the means of a powerful resistance, had recognised the hitherto rejected Albert, as lawful king of Germany: he exhorted the electors to pay their obedience to him, and invited him into Italy to receive the imperial crown. Albert answered the pope in a submissive letter, wherein he acknowledged that the empire had been transferred by the apostolic see from the Greeks to the Germans, and that the right of electing the king of the Romans had been granted by the same see to a number of the German princes: he, at the same time, renounced any connexion into which he might have entered with enemies of the Roman see. When Boniface, who had retired from Rome to Anagni, had received intelligence of all that had taken place in France, he declared upon oath before a consistory, that he was innocent of the crimes of which he had been accused, and, on the 15th August, he published a series of bulls, in which he declared that a citation to Rome possessed all its power, although it should not reach the hands of the persons cited; he then took from the ecclesiastical corporations the power of appointing to vacant prebends, and from the universities the faculty of conferring academical degrees, and finally, he renewed the censures against the king; he placed France under an interdict, and released the subjects of Philip from their oaths of allegiance. But before these bulls were expedited, the blow was struck, which cut of all farther development of this long continued contest. Nogaret had been sent by Philip into Tuscany, provided with large sums of money: he collected together a party of the Ghibellines, who were hostile to the pope, and in company with Sciarra Colonna, he attacked the city of Anagni, on the 7th September, with a body of mercenaries, who gained possession of the papal palace and plundered the treasury of the pope. When the aged Boniface saw himself their prisoner, he declared that having been betrayed like our Saviour, he would die as pope. His enemies found him robed in the ensigns of his dignity. Nogaret announced to him that he had come to conduct him to Lyons, where he

should answer for himself before a council. Sciarra loaded him with reproaches, and required him to renounce the papal dignity. Three days he was in the power of these men, when the inhabitants of Anagni, incited by the cardinal Luca del Fiesco, took up arms, liberated the pope, and drove his oppressors from the city. Boniface then returned to Rome, where he was attacked by a new and more severe illness. The two cardinals Orsini, who observed that the pope had suspected them of having been engaged in a conspiracy against his person, corrupted his guards, and under the pretext of protecting him against his enemies, they kept him in a kind of honourable captivity. When the pope wished to free himself, by removing to the Lateran palace, the cardinal Matteo Orsini informed him, in harsh words, that he must consider himself as a prisoner and obey. This insult broke the heart of this high-minded man: he died in his eighty-sixth year, on the 11th October 1303.

The only political occurrence of any importance, in which the intervention of this pontiff produced a beneficial result, was the peace, by which, in 1302, an end was put to the long war between the kings of the house of Anjou and the Aragonese prince Frederic, the son of queen Constantia. Frederic received Sicily as a fief, with the title of king of Trinacria, for the payment of a yearly tribute to the papal see. But the peace was not long preserved. The two kings, Robert and Frederic, the former the protector of the Guelfs, the latter the patron of the Ghibellines, soon recommenced hostilities. Pope John XXII therefore excommunicated Frederic in 1321, and placed the island under interdict; and Benedict XII, in 1339, after the death of Frederic, in accordance with the former treaties, declared Sicily to be a reverted fief, and deposed the king Pedro II. But still the Aragonese dynasty maintained itself in the island, until the conclusion of a firm peace in 1372, by which the kingdom of Trinacria was recognized as a papal secondary fief of the kingdom of the two Sicilies.

CHAPTER THE FIFTH.

FROM THE DEATH OF BONIFACE VIII TO THE ELECTION OF URBAN VI.

SECTION I.

BENEDICT XI. — CLEMENT V. — TRANSFER OF THE PAPAL SEE TO AVIGNON.*

By the unanimous election of the universally respected cardinal Nicholas Boccasini, who in the Dominican order had risen to the rank of general, the papal see was quickly and worthily filled. Benedict XI absolved the two cardinals Colonna from the censures of his predecessor, without however restoring to them their property or ecclesiastical dignities; and when a French embassy brought to him a letter of congratulation from king Philip, he granted to him also, and without being requested, an absolution from his censures, and withdrew by degrees the bulls which Boniface had published against France. In June 1304, he pronounced sentence of excommunication against the chiefs of the late conspiracy, and in particular against Nogaret and Sciarra Colonna. But this worthy pope died at Perugia

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* Vitæ Paparum Avenionensium, ed. Steph. Baluzius, Paris. 1692. 2 vols. 4to.—Theodorici de Niem Vitæ Pontificum Rom. a Nicolao IV usque ad Urbanum V, in Eccard. Corp. Med. Ævi, i. 1462 et seqq.—Barthol. Ferrariensis Ord. Prædic. Polyhistoria (1287-1367), in Muratori xxiv. 695.—Joh. de Cermenate (1307-1313), in Muratori xi. 1221, and Ferretus Vincentinus (1250-1318), ibid. 935.—Nicolai, Episc. Botrontin., Relatio de Henrici VII itinere Italiano, in Muratori xiii. 1.

Histoire des Souverains Pontifes qui ont siégé à Avignon. Avignon, 1777. 4to.

in July 1304, eight months after his election. It was long before another election could be effected, as the cardinals were divided into two parties of almost equal strength. The one party, at the head of which were Matteo Orsini and Francesco Gaetani, wished for an Italian pope, who would protect the friends and defend the memory of Boniface: their opponents, the chiefs of whom were Napoleon Orsini and Nicholas Albertini di Prato, contended for a French pontiff, who would be devoted to the interests of king Philip. In the eleventh month of the conclave, they were compelled by the inhabitants of Perugia to complete the election, which fell upon Bertrand de Got, archbishop of Bordeaux. Both parties imagined that they had found in him a man according to their desires,—the one party as he was a native of France, the other as he was inclined to the cause of Boniface. He had fled from France on account of his opinions in favour of the pope, and had not been reconciled with the king until after the death of that pontiff. But Philip already knew what easy compliance he might expect from this man, when, by his ambassadors who had gone to Perugia for this express purpose, by his gold and by the influence of the cardinal Peter Colonna, who had been deprived by Boniface, he guided the voices in favour of Bertrand.* When the cardinals conjured the new pope, who had taken the name of Clement V, to proceed with all haste to Italy, and presented to him the most powerful motives for promptitude, they were commanded by him to

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* The well known account of Villani of the collusion of parties in this conclave, of the arts of the French cardinals and of the conditions, into which Clement entered with the king Philip, although it has found admission into innumerable histories, is nevertheless more than suspicious, for 1st, Villani errs even in the name of this pope, whom he calls Raymond instead of Bertrand; 2ndly, according to him the election was terminated by a compromise, whereas according to the evidence of the act of election, it was completed by a scrutiny; 3rdly, of the six contemporary biographers of this pope, whose works are found in Baluze, not one appears acquainted with this history; 4thly, three other historians of the same age, the author of the chronicle of Bologna,

attend his coronation at Lyons, and thus commenced that eventful and melancholy period of seventy years, during which the Roman see was placed in a transalpine country. Personal feelings of revenge, anxiety for the aggrandizement of his relatives and for the interests of the French court, were the principal springs of the actions of this pontiff. He deposed Walter, the bishop of Poitiers, who had formerly (in the name of the archbishop of Bourges, with whom Bertrand had had a controversy on the primacy of Aquitaine) threatened him with excommunication; he created his nephew, a young man of twenty-four years of age, bishop of Agen: he named ten new cardinals, of whom nine were French, and three his own relatives. At the desire of Philip, he restored the Colonnas to their lost dignity, and recalled the bulls *Clericis laicos* and *Unam sanctam*, the latter only as it affected France, with a declaration that they could not be prejudicial to France, to the French kingdom, and to the empire, and that their relations with the holy see were the same as they had ever been. The king and the pope were on the best terms of friendship. Clement granted to the king the tithes of the French Church for five years, during his unjust war with Flanders, and Philip looked calmly on whilst Clement granted the vacant bishoprics to his relatives and friends, and whilst he and his cardinals oppressed the Churches with many imposts and exactions. But the complaints of the clergy, upon whom taxes were laid both by the king and by the pope, became at length so loud, that Philip was compelled to represent them to the pontiff. Clement indeed possessed so much of conscience, that after his recovery from a severe illness,

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in Muratori xviii. 307, Bartolomaeo of Ferrara, ibid. xxiv. 709, and the annalist of Forli, xxii. 177, assert that the cardinals elected Bertrand de Got upon the report that he was dead, only that they might escape from the conclave, in which they had so long been confined, and this may be easily reconciled with the narrative of the well informed Ferreti of Vicenza. Finally, 5thly, why should Philip, as we read in Villani, request absolution from the censures pronounced against him by Boniface, as they had already been remitted by Benedict XI?

in 1307, he removed one of the most scandalous abuses, when, confessing that he had hitherto failed therein, he recalled all grants of bishoprics, and of cloisters, and of abbeys *in commendam*.

A requisition of Philip placed the pope in great difficulty. That his conduct against Boniface might have some appearance of justification before the world, it was necessary that the memory of this pope should suffer, and he therefore desired Clement to condemn the deceased pontiff as a heretic, and to remove his body from consecrated ground. With difficulty Clement persuaded the king, in an interview at Poitiers in 1307, to defer this affair to the decision of a general council, which was soon to be convened. In recompense for this condescension, he recalled all the censures which Boniface had pronounced since the festival of All Saints, in the year 1300, and absolved Nogaret from excommunication, upon condition that he should perform the penance which should be imposed upon him. But Philip was unwilling to wait till the year 1311, the time appointed for the council, and Clement was therefore obliged to admit the accusers of Boniface, Nogaret and William of Plasian, to lay their complaints before the assembled consistory at Avignon, in which city he had now placed his see. The cause was drawn out in a tedious process, and the question of the validity of the resignation of pope Celestine V was again discussed. A commission was sent into Italy to collect evidence against Boniface: at Avignon forty witnesses were received, who declared that they had heard the accused pontiff use expressions of derision against religion, and the hopes of a future life, and maintain the opinion that, as the world was without a beginning, so it should have no end. Philip at length, in 1311, left the decision to the pope and to the council, and promised that he would never call this judgment into doubt: he also permitted the accusers to abandon the process. The grateful pope recalled all that had been done prejudicial to France since the year 1300, and commanded that

whatever might be injurious to the king and to the rights of his crown, should be cancelled from the papal registers.

Condescending and obsequious even to servility as was Clement to the king of France, so was he domineering and haughty, even to the transgression of all the limits of ecclesiastical authority, towards others. Against the Venetians, who, without attending to his remonstrances or to those of his legate, had seized the city of Ferrara, which belonged to the States of the Church, he published, in 1309, a bull, in which he not only punished them with excommunication and interdict, but also forbade all commerce with them, declared them void of all honour and incapable of making wills, or of any other legal act, and in case they should continue obstinate after two months, he pronounced sentence of deposition against the doge and his officers: he empowered all men to seize upon their goods and merchandise, and even to take possession of their persons. The papal legate, cardinal Pelagrue, preached a crusade against them: the Venetians were overcome in a bloody fight, and the vicariate of Ferrara was transferred to Robert, king of Naples, whose Catalonian troops were more oppressive to the Ferrarese than the Venetian dominion had before been. After the death of Albert, king of Germany, in 1308, Philip imagined that, with the assistance of the pope, he could secure to his brother Charles of Valois, the German, and with it the imperial, crown. With this view, the cardinal Raymund de Got addressed a letter of recommendation to the archbishop of Cologne. But Clement, who had already found the weight of the French yoke sufficiently oppressive, could not in good earnest assist in this exaltation of the prince, which would have delivered him to the full power of his family and removed every counterpoise to the waywardness of Philip. Even if the account of Villani be not correct, that the pope, by secret letters, warned the electors of the designs of Philip, and exhorted them to proceed to the immediate elec-

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tion of Henry, count of Lusselburg, it is certain that he did not act with zeal in the cause of the French prince. The embassy of the new king, Henry VII, was favourably received by Clement, who confirmed the election, and promised, when the ambassadors, in the name of their master, took the oath of fidelity and protection, to confer, after two years, upon the king the crown of the empire. In 1310, Henry proceeded into Italy to re-establish peace and to restore once more the imperial authority, which for sixty years had been extinct, and which was now, for many reasons, again earnestly desired. Italy was still torn by the factions of the Guelfs and Ghibellines, which had now lost all their former motives of contest. The Ghibellines placed all their hopes upon Henry, whilst the Guelfs relied for support on Robert of Anjou, whom the pope had crowned king of Naples, in 1309. Henry could not long act the part of mediator and pacificator between the contending factions; for he was soon involved in war with Milan, Cremona, and Brescia, and in Rome, which was divided between the Ghibelline Colonnas and the Guelfic Orsini, he had to meet the troops of Robert and to storm the Capitol. Foiled in his attempt to take from the Neapolitans the church of St. Peter and the Vatican, he was crowned by the cardinals in the Lateran Basilica. As the hostilities between Henry and Robert, the powerful chief of the Guelfs, increased every day in intensity, and threatened to light up through all Italy the flames of war, the pope interfered between them, and declared that as both, in virtue of their oath of obedience, were bound to obey his commands, he required them to conclude an armistice. But Henry procured from his jurists a decision, that the emperor, who was the guardian and protector of the Church and who held no fief from the holy see, was not subject like the king of Sicily to the pope in temporal affairs. Exceeding, as the pope had done, the limits of his power, he issued against Robert, not only the ban of the empire, but even sentence of death. With equal

severity he condemned the Guelfic barons and the Guelfic cities, particularly Florence, Pavia, Padua, and Asti. He then prepared himself for an attack upon the kingdom of Apulia; and when Clement, who was incited to this by king Philip, declared his sentence against Robert to have been invalid, and forbade him, under pain of excommunication, to undertake his intended expedition against the kingdom of Robert, which was a fief of the holy see, he publicly protested at Pisa, that, without violating the rights of the Church, he was resolved to maintain the honour and rights of the Roman empire. He sent an embassy, the bearer of this resolution, to the pope. Shortly after, he died, in August 1313, and, as his illness rapidly increased immediately after communion, which he received from the Dominican Bernard Poliziano, the calumny was spread by German writers, that the emperor had been poisoned by this monk. German historians, after the year 1350, propagated this report, which was expressly contradicted by the best informed Italian contemporaries; but the emperor's son, king John of Bohemia, the city of Arezzo, and the captains of the Ghibelline league, bore witness to the Dominican order of the innocence of Bernard; and the physician of the emperor, who was called to Avignon, certified before the pontiff that Henry had not died of poison.

In the last two nominations to the sacred college, Clement, as if he had wished to place all ecclesiastical power in the hands of the French, and to confirm more and more the French dominion over the Roman see, had created only French cardinals. By placing his see, in 1309, at Avignon, a city of Provence, which was under the dominion of the papal vassal, Robert, and subject to the supremacy of the empire, he had in some degree, in appearance at least, counteracted his dependance on Philip; and, in 1311 and 1312, he held a general council at Vienne, in which the fate of the knights Templars was decided, and Boniface VIII, whose memory was defended by three cardinals, and to maintain whose innocence three Catalonian knights offered their

swords, was absolved from all suspicion of heresy. The other accusations against him were suffered to fall to the ground.

Clement died in April 1314. His pontificate proves to us that which might have been foreseen under Martin IV and Boniface IX, that the papal power had fallen from that height to which the circumstances of Christendom had with a sure hand conducted it, and that it had surrendered itself to a worldly, calculating, and sometimes avaricious, policy, in consequence of which the common father of the faithful became the willing instrument of one prince and the imperious master of another. The cardinals, who assembled in conclave at Carpentras, were long without coming to a conclusion. The Italians desired a pope who would return to Rome, or, at least, into Italy; the Gascons, on the other hand, exerted every effort to retain the papal see amongst themselves. An attack upon the Italian cardinals by the Gascon party, at the head of which were two nephews of the deceased pontiff, dispersed the conclave, which did not meet again until the year 1316. Napoleon Orsini, the most influential of the Italian cardinals, addressed a letter to king Philip, in which he complained in bitter terms of the confusion that had been introduced by him into the sacred college, which, in condescension to the king, had chosen a pope, such as they had seen in the person of Clement V. Under his pontificate, said the cardinal, Rome had been almost destroyed; the states of the church had been laid waste by robbers who called themselves governors; Italy had been wholly neglected and given up as a prey to factions, the dignities of the Church had been sold or given to relations and favorites, the elections of bishops had been annulled without due form; Clement had held consistories to announce these sentences in contempt of the Italian cardinals; he had wished to establish the see of the head of the Church within a corner of Gascony, and entertained plans which must necessarily have brought disgrace upon himself and upon the Church. The time was come in which there was need of a worthy pope, who would banish from the Church

the crime of simony, which had of late grown into a custom, and who would not waste the goods of the Church upon his own family. The count of Poitiers, brother of the lately deceased king Philip, succeeded in forming a new conclave at Lyons. Here, in August 1316, the cardinal bishop of Porto, James of Ossa, a native of Cahors, who had been bishop of Frejus and Avignon, was elected pope and took the name of John XXII. By immediately placing his see at Avignon and naming only one Italian and seven French cardinals, amongst whom were two of his own nephews, he told the world that he had entered upon the course opened to him by his predecessor.

SECTION II.

JOHN XXII.—BENEDICT XII.—CLEMENT VI.—CONTEST WITH LEWIS OF BAVARIA.*

In Germany, after the death of the emperor Henry VII, the electors were divided between the two princes, Frederic duke of Austria, and Lewis duke of Bavaria, of whom the latter had four voices in his favour. Both were crowned, and fought with varying success for the

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* Chronicon Lucovici IV Imperatoris, in Pezii SS. Austr. ii. 415.—Henrici de Rebdorf Chronica (1295-1363), in Freheri SS. German. ed. Struve, i. 598.—Gesta Baldevini de Lutzenburg, Archiep. Trevir., in Reuberi SS. 953.—Gualvanei de la Flamma, De Rebus gestis a Vicecomitibus, in Muratori xii. 989.—Viti Arnpekii Chronicon Bavariæ, in Pezii Thesaur. Anecdot. tom. iii. p. iii. 1.—Marsilii Patavini Defensor Pacis, and Guilielmi Occam (an English Franciscan) Disputatio de Potestate Ecclesiæ et Sæculi: Quæstionum Decisiones super Potestate et Dignitate summi Pontificis; De Jurisdictione Imperatoris in causis matrimonialibus, in Goldasti Monarchia S. R. Imperii, Francof. 1668. tom. i. and ii.

Gewoldi Defensio Ludovici IV Imperatoris, Ingolst. 1618. 4to.—Herwasti ab Hohenberg, Ludovicus VI Imperator defensus contra Brovium, Monachii, 1618. 5to.—Œhlenschläger, Staatsgeschichte des Röm. Kaiserthums in der ersten Halfte des 14ten Jahrhunderts. (State History of the Roman Empire in the first half of the 14th century), Frankfurt, 1755. 4to.

sole possession of the empire. The pontiff John, in the first bull which he sent into Germany, and which was no more than a notification of his own election, exhorted the two rivals to come to a friendly reconciliation. But, in the following year, 1317, he announced, in a decretal, that during the vacancy of the empire, the administration of the Italian provinces, which appertained to the empire, devolved to the pope, and that an imperial vicar in Italy could be named only by him. Clement IV, in 1268, had in fact appointed king Charles of Sicily imperial vicar of Tuscany, and in 1314, after the death of the emperor Henry, Clement V had conferred the vicariate of imperial Italy on king Robert. Henry had named as his vicars men of the Ghibelline faction, who exercised their power to oppress the Guelfs. These the pope now commanded, under pain of excommunication, to resign their dignity. He soon after confirmed to Robert his rank of imperial vicar in Italy, and inflicted upon the powerful Ghibellines Matteo and Galeazzo Visconti the heaviest anathemas, and preached a crusade against them, as heretics and schismatics. His nephew, the legate Bertrand del Pogetto, subjected to himself Piacenza, Parma and other cities; he threatened Milan, and had proposed to himself the design of making himself master of the entire of upper Italy, when Lewis the Bavarian, who had announced to the pope his victory and the capture of his adversary, and had been exhorted by the pope to clemency and to peace, sent assistance to the oppressed Lombard Ghibellines, and named his ambassador, the count of Neuffen, as imperial vicar. The indignant pontiff, on October the 8th, 1323, caused to be affixed upon the doors of the churches at Avignon a declaration against Lewis, with the requisition, as the judgment of a doubtful election was reserved to the apostolic see, that he should, under pain of excommunication, abstain from the government of the empire; that he should recal all his proclamations; that he should afford no assistance to the enemies of the Church, and should within three months present himself before the pope. He, at the same time, commanded all eccle-

siastics and laics to refuse him their obedience in all things relating to the government of the empire.

The conduct of Lewis in these attacks upon his power, bore from the beginning the marks of that characterless irresolution and haughtiness united with timidity, which disgraced the whole of this contest. Whilst, by an embassy, he besought the pope to prolong the period within which he was to appear before him, he protested, in an assembly of princes at Nurnberg, against the assumed right of the pope to decide upon his election: he threw back upon him the accusation of being a defender of heretics, and offered to prove this before the cardinals, or before a general council, which he now desired should be called. John, who had the interests of France near at heart, employed himself with the design of transferring the regal and imperial crown of Germany to the French king, Charles, and on a later occasion he objected to the king that this design was frustrated by his own indifference and by his neglect of the necessary expenditure of money. He indeed granted to the ambassadors of Lewis a prolongation of two months, but threatened him with excommunication and with the infliction of all consequent punishments, unless he should resign within three months the title of king. After the expiration of this period, he deprived him of all rights which he might have acquired by his election to the empire, and on the 1st October, a new anathema, with an interdict, followed a repetition of the accusation, that Lewis was the friend of heretics.

With redoubled activity John now exerted himself to raise up enemies on every side against his opponent. He therefore saw with pleasure that the Poles and the pagan Lithuanians, under pretence of carrying into effect the papal sentence, by which the grant of the marquisate of Brandenburg to the son of Lewis was declared null, laid waste the country between the Warthe and the Havel. He, at the same time, did all in his power to prevent the reconciliation between Lewis and the captive Frederic, and to impede the treaty by which both princes consented to govern the empire together.

But the ill-advised Lewis now exceeded all bounds, and proceeded to extremities similar to those to which the emperor Henry IV had before gone. In a memorial, which he published at Frankfort, on the 22nd October 1324, he declared that the "pretended" pope was the enemy of peace and the cause of all the disunion that existed in Italy and Germany; that in one country and the other he had excited rebellion, that he sought only the desolation of the empire, and that he stigmatized the friends of the same, and only because they were its friends, as heretics; and that he himself was indeed a heretic, for exalting himself against Christ, against the Blessed Virgin and the apostles. He had asserted that the Lord and his disciples had possessed goods in common. By this assertion the author of the document, who appealed, in conclusion, to the general council and to the future pope, lost his disguise. He was a friar Minor, of the party of Spiritualists or Fratricelli, whom the pope had, a short time before, made dangerous to himself by condemning their principles in two bulls, and who now attached themselves to the cause of Lewis. The censures of the pope were little regarded in Germany, for arms such as excommunication and interdict can produce great and lasting effect only, when the people are convinced of the justice of the cause in the defence of which they are wielded. Hence Burchard, archbishop of Magdeburg, paid with his life for his zeal in announcing and executing the censures, and the three ecclesiastical electors scrupled not to assist at the espousals of Lewis at Cologne.

The period in which the cause of the popes was considered the cause of the entire Church, and in which all piety, theological learning, and a serious profound judgment could assemble themselves at the sides of the popes, was passed away. The spirit of gain and of haughtiness which displayed itself in the conduct of the last pontiffs; their arbitrary invasion in every department of the Church; their unsparing prosecution of their own rights to extreme consequences; their open partiality for the French court, which was founded on

political calculations or on national prejudice; all this created indifference in many, in others mistrust and aversion for the designs and projects of the court of Rome; and now, for the first time, were the principles of ecclesiastical authority questioned, and the nature of the primacy combated, in the writings which were published in defence of Lewis. Two doctors of the university of Paris, Marsilius dai Raimondini, and John of Gand in Champagne, proceeded to the court of Lewis, and endeavoured to persuade him that it was his duty, as emperor elect, to bring back truth into the Church, and to destroy abuses; as the Church was subject to the empire, not the empire to the Church. With the same ideas they wrote, probably with the cooperation of the spiritualist Ubertino di Casale, the subtle work, composed with great power of language and with a specious appearance of reason, the "*Defensor Pacis;*" in which the Calvinistic system on the power and constitution of the Church is laid down. All legislative and judicial power of the Church lies in the people, from whom the clergy receive it by commission; all the degrees of the hierarchy are of later institution; priests and bishops were originally equal; they have received their institution from the community, and their power is therefore revocable;* convenience gave the primacy to the bishop, which primacy consists only of the power of calling general councils, and of directing their proceedings, and which power can be delegated only by the authority of such synods, or of the supreme legislator, the community of the faithful, or the emperor their representative. The goods of the Church belong to the emperor, who can use them as his own. Not so far as the author of this work, did the English Franciscan provincial Occam proceed, who, belonging also to the party of the Spiritualists, had fled for protection to the court of Lewis. He viewed the imperial dignity in the same light as had the great poet Dante in his Book on Monarchy,

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* See vol. i. page 216, 222 et seqq.

which appeared in 1322, and which was the manifesto of the Ghibellines. By this dignity, he said, was inherited the power of the ancient Roman emperors, and it gave absolute power over the whole earth, and was therefore derived immediately from God. Occam asserted, in contradiction indeed to all history and to the existing constitution, but for the interest of his protector, that the dignity of a king of the Romans and of an emperor, were the same, and that the king elect, in virtue of his election, even before his coronation, possessed full and free power over the empire. Embittered by the condemnation of the principles of his party, Occam denied, not only to the pope, but to a general council also, and to the collective body of ecclesiastics, the gift of infallibility; he attributed to the body of laics the ultimate decision, and maintained that in causes of faith, it was lawful to appeal against the pope, even to an infidel, and in a case of necessity, to employ force against him, and that there could exist at the same time in the Church several popes independent of each other. In addition to this melancholy delusion, which, in so acute a theologian as was Occam, can be attributed only to the blindness of prejudice, there now appeared the most bitter invectives against the pope John XXII, and against the heresies of which he was falsely accused.

To the book of Marsilius and of his coadjutor, the pope, in 1327, opposed a polemic bull, in which the scandalous propositions contained in that work were refuted and condemned. The theological faculty of Paris also censured them. The papal authority was defended in express works, by the Franciscan Alvarus Pelagius, and by Augustino Triomfi, an Augustinian hermit of Ancona: the former, who was then penitentiary of the pope, and afterwards bishop of Coron in Achaia, and later of Silva in Portugal, complained in his book on the "Laments of the Church," of the abuses which deformed the Church and the different classes in it. The second, in his work on the papal authority, gave to the pontiff the most extensive

power: he asserted that the pope alone could name an emperor, or the electors, and that the monarch elect could not undertake the government of the empire until his election has been confirmed and he had been crowned by the pope, but that he might assume at once the government of Germany.

Lewis being called into Italy by the Ghibellines, who were straitened by the cardinal legate, and by Charles prince of Calabria, the son of Robert, and being the more willing to make Italy the scene of his imperial power, as his authority was but little respected in Germany, marched into Italy in 1327. He was accompanied by his schismatical bishops and monks, who had presented fourteen articles of complaint against the pope, before an assembly at Trent, and had declared him, on account of his decision on the poverty of Christ and his apostles,* a heretic, and unworthy of the pontificate. John, on his part, prepared a number of censures against Lewis, whom he threatened with the punishments which were decreed against heretics and their abettors; also against his son, who had seized the marquisate of Brandenburg, against the bishops of Spires, and against Marsilius and John of Gand. Lewis, however, received at Milan, from the hands of the deposed bishops of Brescia and Arezzo, the crown of Lombardy: he nominated bishops of Comon, Cremona, and Città di Castello; he published at Pisa the bann of the empire against Robert, king of Naples, and proceeded to Rome. The pope now declared him to have

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* In 1322, in a general chapter of the Franciscan order, it was declared that "Christ, pointing out the way of perfection, and his apostles, following him therein," possessed nothing either in particular or in common. The Franciscans founded their idea on the bull of Nicholas III: *Exiit qui seminat.* After long deliberation, John recalled that bull, and fully discussed the subject of Evangelical poverty in his celebrated constitution: *Ad Conditorem.* Offence was also taken, as we shall see later, at an opinion expressed by him, in a sermon on the feast of All Saints—that the blessed will not be admitted to the full beatific vision before the final judgment. That this was not *his* opinion is proved beyond doubt by many arguments, as was declared at the time, by a sentence of twenty-four Parisian doctors. See also his bull for the canonization of St. Thomas Aquinas.—(*Transl.*)

been convicted of heresy on account of his contempt of ecclesiastical censures, and of his intimate intercourse with Marsilius and John of Gand: he deprived him of all his rights and dignities, and proclaimed a crusade against him. But the Romans,—who, to their earnest entreaties and representations to the pope, that the melancholy confusion in his states, and the daily increasing decay of Rome, required his presence in that city, had received only courteous, equivocal answers,—opened their gates to Lewis, and nominated him their senator for a year. Lewis was crowned king of the Romans by the deposed bishops of Aleria and Castello: he conferred the rank of senator upon Castruccio, the tyrant of Lucca, and named as vicar of the Roman Church Marsilius of Padua, who commenced an oppressive persecution against the Roman clergy who were devoted to the pope. By this man, and by the faithless monks who surrounded him, Lewis allowed himself to be driven to measures against the pontiff, which, although they commenced in rash thoughtlessness, terminated in a disgraceful issue. He first pronounced sentence of death against all who should be found guilty of heresy or treason. The Augustinian monk, Nicholas da Fabricano, then inquired if any one were prepared to defend the "priest James de Cahors, who had named himself John XXII," and a German abbot pronounced a bitter discourse of accusation against him. In the name of Lewis, judgment was pronounced, that James de Cahors, who, by every species of oppression and simony, had amassed a vast treasure of gold, who had seized upon both powers, the priestly and the imperial; who, by his decision on the poverty of Christ, had incurred the guilt of heresy, and, by his attempts against the empire, of high treason, was deposed from the papal dignity, and was delivered over to the temporal power of the imperial officers for punishment in life and limb. On the other side, the young James Colonna had the courage to read publicly before an assembly of the Roman citizens the papal sentence against Lewis, and to declare as a traitor the man, who,

in the acts against John, had acted as syndic of the Roman clergy. A precipitate flight saved Colonna from the guards of Lewis. The majority of the Roman clergy had abandoned the city, which was under an interdict. By a new law, Lewis threatened with deposition every future pope who should absent himself for any long period from the city. He then presented to the people, who three times gave their assent, the Franciscan, Peter Renalducci of Corbario, in the diocese of Rieti, as their new pope. This man, who was married, had entered into the order without the consent of his wife, and had joined the party of the Spiritualists. Alvarus Pelagio, who had known him in the convent of Ara Cœli, at Rome, pourtrays him as a hypocrite, who was always seeking the favour of women.

The antipope, who named himself Nicholas V, surrounded himself with a college of cardinals, by the nomination of some monks of the party of Lewis. He and his followers, who had before caused a schism in the Church by their principles of unconditional poverty, wished now to live in worldly pomp and luxurious ease, and to procure the means of so doing he sold the benefices of the Church. Lewis placed on his head, in the church of St. Peter, a red hat, and received from his hand a golden diadem, but all that could signify a grant of the imperial dignity by the pope, or subjection of the emperor to the pope, was carefully avoided.

Soon after this transaction, Lewis, whose resources had failed, and who was terrified at the near approach of Robert, was compelled to leave Rome in company with his pope, amidst the derision and the shouts of indignation of that same people who had welcomed his entrance with salutations of applause. At Pisa, where they were joined by the general of the Franciscans, by the provincial Occam, and by Buona Grazia, they confirmed the sentence of deposition that had been pronounced against John. Corbara proclaimed an indulgence to all those who should assent to this judgment; he scattered anathemas around him, and made new bishops. But his and his master's authority in Italy

now rapidly waned. A number of cities,—Pisa, Pavia, Novara, Vercelli, Bergamo, and Lodi, even the Viscontis and other chiefs of the Ghibellines, sought a reconciliation with the pope; Rome repeated its assurances of allegiance, and Corbara was compelled to flee from Pisa, and to remain concealed until the year 1330, when, as he was on the point of being delivered to the pope, he surrendered himself, and publicly confessed his faults, with a rope round his neck, at Avignon: he received from John the kiss of peace, and continued till the time of his death to occupy a low office in the papal palace. Lewis, who during his stay at Pisa had fallen into a state of entire impotence, had returned into Germany.

After his return, Lewis employed every endeavour to induce the pope to revoke the censures which had been pronounced against him, and to confirm his election. Through the mediation of the king of Bohemia and of Baldwin, archbishop of Treves, he offered to recall all that had been done against John and the Roman See, and to leave his absolution from excommunication to the favour of the pope; he wished to impose upon himself a penance, and to receive the imperial crown either from the pope or from his legate. But John exhorted the electors to nominate a new king, and appeared, although Frederic of Austria was now dead, resolved never to recognize Lewis, because he would never grant to him the pardon of his injustices, and allow him to retain the advantages which he had derived from them. This inflexibility of the pontiff would justify the supposition, that he still persevered in the design of transferring the German and imperial crowns into the royal family of France. At length Lewis offered to resign the dignity of king in favour of his brother Henry, Duke of Lower Bavaria; and John, who had heard only in general of his resolution to resign, hastened to congratulate with him. But the imprudent vanity of the duke, who had broken the seal of secrecy to gain the voice of the electors, and had suffered homage to be paid to him by some cities, gave to Lewis

a pretext for retracting his intention. Proceeding again, and at once, to extremities against the pope, he entered into an union with the chiefs of the Spiritualists who had followed him into Bavaria, and sought the cooperation of the cardinal Napoleon Orsini, to convoke a general council for the purpose of depriving John, whose opinion on the beatific vision of the saints had given offence. But the death of the pope closed this design. John, who, in the last period of his life, had engaged himself with the thoughts of an expedition into Italy, and had selected Bologna wherein to place his see, died at the age of ninety years, in April 1334, leaving behind him an enormous treasure which he had amassed by the ecclesiastical tenths, that had been uninterruptedly collected in different countries for the expenses of an intended crusade, by the tribute which was paid to him from many kingdoms, by the institution of annates,* and by the possession of many high benefices. In France preparations were at this time making for a crusade into Palestine, which the pope had promised to assist by contributions of large sums of money.

After the death of John, the majority of the French cardinals, who desired, at any cost, to prevent the return of the papal see into Italy, offered the pontificate to James de Comminge, the cardinal bishop of Porto, with the condition that he should remain in France. He refused, and the cardinal James Fournier, a Cistercian monk, who had been bishop of Pamiers, and was now bishop of Mirepoix, a native of Saverdun, in the diocese of Toulouse, was unanimously elected and took the name of Benedict XII. The reforms, which this well-intentioned pope saw himself obliged immediately to commence, prove to us to what an extent corruption had spread under his predecessor. He sent back to their churches the crowds of ecclesiastical courtiers, who, in the hopes of higher preferment, besieged the court of

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* The first year's revenue of his benefice, which was paid by every beneficed ecclesiastic, to the pope.

Avignon : he cancelled all commends and expectatives* which his predecessor had granted, and gave his word to an embassy from Rome, that in a few months, he would restore the papal see to Italy. But the French king, Philip of Valois, and the French cardinals, possessed power sufficient to prevent this as well as a reconciliation with Lewis, and the consequent restoration of the peace of the Church. The German king had, in 1335, offered to accede to any terms that could be justly proposed : he was willing to recall all that had been done, even the sentence against king Robert, to grant to him the rank of imperial vicar in Italy, to make restitution for all the injuries done to the papal states, never to enter Italy without the consent of the pontiff, to receive again the imperial crown, and to dismiss the heretical Franciscans. But an embassy of the kings, Philip of France, and Robert of Naples, laboured at Avignon to impede the step of reconciliation to which the pope had declared himself inclined. Philip, by sequestrating the revenues and goods of the cardinals in France, obliged them to unite with him. At the same time, the king of Bohemia, who was again at enmity with Lewis, and Henry of Lower Bavaria, wrote to Avignon, that with the aid of the king of Hungary, and of the Poles, they intended to depose Lewis, and to promote the election of a new king. The repeated endeavours and new offers of Lewis, who now promised to undertake a crusade to Palestine, and to remain there according to the good will of the pope, and who, by gaining Philip, hoped he had removed the chief hindrance to his reconciliation, failed before the opposition of the French cardinals, who would never consent that the pope should absolve Lewis without the express consent of the kings of France and of Naples.† The

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* By which grants of benefices were made during the life-time of the present incumbents.

† Raynald and Pagi endeavour to prove that the failure of Lewis's negotiations with the pope must be attributed to his connection with England : but the episte of Benedict to Philip (Raynald. ed. Lucens. vi. 96) betrays clearly enough the overpowering influence to which he

good intentions of this weak pontiff, who, as like his predecessors, he named principally French ecclesiastics as cardinals, riveted his own chains more firmly, confined themselves to the non-renewal of the anathemas against Lewis. But it was evil enough, that he suffered Germany to fall into that state of unhappy confusion into which it was thrown by the protracted interdict. The partisans of Lewis inflicted upon those, who observed the laws of the interdict, every kind of annoyance, so that many left the country, and whole institutions and cloisters fell to ruin. The prophecy of the abbot Joachim, that the power of France would be to the Roman Church as a pointed reed, upon which he who would lean for support, would find his hand pierced through, was now too literally fulfilled.

An assembly of German bishops, which had been called by the elector Henry of Mentz at Spire, sent an embassy, in 1338, to the pope, supplicating him, now at length, to absolve the penitent Lewis. Benedict threw upon the German king the whole blame, because, as he said in his letter to the archbishop of Cologne, he had withdrawn his ambassadors from Avignon, and had assumed a hostile posture against France. According to the account of Albert of Strasburg, Benedict confessed, with tears in his eyes, that the king of France had threatened, should he absolve the Bavarian without his consent, to proceed against him with greater severity than that which Boniface VIII had experienced from Philip le Bel. At a diet at Frankfort, in 1338, the princes declared that Lewis, who now openly denounced

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was compelled to yield. The pope here speaks of the necessity of admitting favourable terms, presupposing that neither the Church nor the interests of Philip or Robert would suffer from them; otherwise the acute and intelligent Germans, suspecting the source from which the impediment arose, would have joined themselves in disgust or in despair with the English or other enemies of the king. If however, in the course of the negotiations, any thing had discovered itself on the part of the Germans which might have tended to delay or to prevent the business, so that the delay or hinderance could be attributed neither to the pope nor to the king, then both would have been exculpated before God.

the French king as the obstacle to his reconciliation with the Church, was innocent of the further duration of the interdict, and commanded that all ecclesiastics who should continue to observe it, should be punished as enemies of the public peace. A short time after, the three Rhenish archbishops, and the three temporal electors, of the palatinate of Saxony and of Brandenburg, bound themselves by the union of electors at Rense to maintain their right of election; and at another diet of Frankfort, Lewis caused to be proclaimed the constitution of the independence of the empire, by which it was declared, that a king who had been elected by a majority of the electors, was to be considered at once king and emperor, without the ratification of the pope; and, as the imperial dignity came immediately from God, he was authorized to exercise all the imperial rights, A manifesto, composed by the Franciscan Buonagrazia, gave the reasons why the interdict should be no longer observed. Leopold of Babenburg, provost, and afterwards bishop of Bamberg, defended, together with Occam, in his work "On the Rights of the Roman Empire," this new principle, and procured a new edict, that for the future, no papal bulls should be received into the empire or observed, without the consent of the archbishops. Crowds of monks and ecclesiastics, who still thought the interdict binding, emigrated or were driven from the cities of the empire. The Dominicans of Frankfort had affixed the anathema of the pope and the constitution of the empire, to the gates of their church: they were now driven by the people from the city. Thus did an abuse of power on the one side produce a greater on the other; and on both, the disregard of mutual rights and duties raised to the greatest height the confusion of ideas and of mutual relations. The Roman Church, which should have embraced all other Churches with a maternal solicitude, had become at Avignon so entirely French, that she saw with indifference the Church of Germany falling deeper and deeper into misery and confusion. At Avignon they seemed to live but for the day, untroubled

by the thought how future popes were to act with the arms that had been broken, and with the resources of the Church, which had been exhausted, by the improvident excesses of their predecessors.

Benedict, a short time before his death, had in 1341 refused to receive the intercession of king Philip in favour of Lewis, which Lewis had purchased by recalling the dignity of imperial vicar, which he had before given to the king of England, and by revoking his connexion with the most dangerous of the enemies of France. The pope acted thus, because he saw without doubt that this intercession was sincere only in appearance. He was succeeded, in May 1342, by the cardinal Peter Roger, of the diocese of Limoges, who had been successively abbot of Fecamp, bishop of Arras, archbishop of Sens and of Rouen. He took the name of Clement VI, a man who, unlike his predecessor, had been, as keeper of the seals, accustomed to the court, and was devoted more than became his station to worldly pomp and courtly splendour. Acting according to the usage, which had now become a rule, of the Avignonese popes, he strengthened the captivity, in which France had held the Church by the nomination of ten cardinals, of whom nine were French, and the tenth an Italian, who had been naturalized in France. Lewis, in that weakness for which he was distinguished, and under the influence of wicked counsellors and of sophist parasites, allowed himself to be driven to a measure, which gave appearance to the suspicion that he was not orthodox in his faith and which disgraced him more than any other action of his life in the public estimation. On the ground of physical infirmity, he declared, in the plenitude of his imperial power, that the marriage of Margaret, heiress of Carinthia and Tyrol, with the prince John Henry of Bohemia, was dissolved, and granted to his son, the margrave Lewis, who was related by blood to the princess, the necessary dispensations for contracting a marriage with her.* This proceeding was de-

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* "Tota terra illud matrimonium multifariam multisque modis diris vocibus inculpavit."—Joh. Vitoduranus, ad an. 1342, p. 59.

fended by Occam, in his book "On the Power of the Emperor in Matrimonial Cases," and by another Franciscan, who both wrote under the inspiration of Lewis. Thus the emperor made to himself implacable enemies of the powerful house of Luxemburg: and the new pope, who was devoted to the French court, and as former preceptor of the margrave Charles of Moravia, to him also and to his father John Henry, answered the ambassadors, who applied to him for the absolution of Lewis, that it was necessary that Lewis should retract his errors, resign the empire, and restore Tyrol to its rightful lord. In a bull, dated April 1343, he required Lewis to appear at Avignon to hear the judgment against him. Lewis at first attempted to meet the pontiff with the declaration that he did not acknowledge him as lawful head of the Church. But when he saw that many of his own followers began to waver, he invoked the French king to intercede in his favour with Clement, and signed for his ambassadors, an instrument which had been sent from Avignon, but which was so degrading to him that no one imagined that he would adhere to it. By it, he bound himself to acknowledge himself guilty of all the heresies that had been imputed to him by the late pontiff, John XXII, and to condemn them, to receive whatever penance might be imposed upon him, and to confess that he had obtained the empire by unjust means: he further pledged himself to accede unconditionally to the propositions of the pope, and in particular to accept all that might be required by Clement in regard to his relations with France and the house of Luxemburg: finally to recall and to annull all that he had done as emperor. When the messengers of Lewis presented this instrument at Avignon, and swore on their souls, that Lewis would perform all that should be enjoined him by the pope, he received, instead of the expected absolution, a series of new demands, by which, amongst other things, he was required to recall all that he had done as king of Germany, whereupon Clement would declare all such actions as again valid. It was

also required of him, that in all future public affairs, he should take no step without the approbation of the pope.

Lewis submitted these conditions to a diet of the empire, which assembled at Frankfort, in September 1344. As they were calculated to invade the rights of the empire, they were rejected, and in an assembly of the electors of Rense, it was resolved that Lewis should no more seek his absolution. But, at this same assembly, the discontent of the princes against the emperor on account of his desire of conquest, of his wavering and imbecile conduct, and of the confusion which he had brought into Germany, broke out into loud complaints, and the election of Charles of Moravia, which was desired by the pope, was publicly mentioned. The alliance with the German king, formed by Lewis of Hungary, who was preparing an expedition against Naples to revenge the murder of his brother, of which the queen Johanna was suspected, and the desire displayed by the emperor of again entering Italy, appeared to the pope as a cause of great apprehension, and to call for the adoption of the last means against one who had hitherto defied all the arms of the Church. On holy Thursday, 1345, there appeared a bull, in which all the punishment and consequences of excommunication,—exclusion from society, loss of goods and of honours, and incapability of all offices,—were pronounced against Lewis, together with the imprecations borrowed from the Jewish forms of malediction, as if it were attempted at Avignon to conceal the want of right and equity beneath a boundless vehemence of angry words. At the same time, Henry, archbishop of Mentz, whose nomination to that see had been zealously promoted by pope John XXII, but who had since been a determined adherent of Lewis, and without whose co-operation the election of another king could not be effected, was deposed, and the count Gerlach, who was only in his twentieth year, was appointed to succeed him. Clement then exhorted the electors to proceed to the election of a new king, and as Philip was so sorely pressed by the English as not to be able

to prosecute his claims to the German and imperial crowns, he recommended to their choice, as the most worthy, Charles of Moravia, whom, with his father, the king John, he had called to Avignon, and from whom he now exacted the promise that he would annul all the acts of Lewis; that he would defend the rights and possessions of the pope in Italy; that he would deprive of their sees all bishops who had been promoted against the will of the pope, and would place in possession of their churches and benefices those whom Clement should name. In July 1346, the five electors, Gerlach of Mentz, the Luxemburgians, Baldwin of Treves and John of Bohemia, Waltham of Cologne and Rudolf of Saxony, who had both been bought by gold, having declared that the empire had long been vacant and required a new head, elected the son of John, the margrave of Moravia, king of the Romans, with the title of Charles IV. The adherents of Lewis, in assembly at Spire, pronounced the election to be null. Charles was crowned at Bonn, and all things seemed to forbode another endless contest, when Lewis died suddenly at Munich, in October 1347.

But the authority of the pope had already sunk so low that he could not procure for his favourite, Charles, universal obedience. In the cities the burghers demanded that the interdict should be unconditionally removed, which was offered them only on condition that they would engage to obey no other king than the one whose election was confirmed by the pope. The Bavarian party, which consisted of Henry, archbishop of Virneburg, the son of Lewis, and the Bavarian princes, and the prince palatine of the Rhine, opposed to king Charles, first, Edward, king of England, and when he and Frederic, margrave of Meitzen, declined the offer, they chose Gunter, count of Schwarzburg. He also resigned, for soon after his election he fell into a mortal sickness, in 1349, whereupon Charles, to the displeasure of the pope, caused himself to be crowned at Frankfort and at Aix-la-Chapelle.

The schismatical Franciscan friars, who had hitherto

found protection in the court of Lewis, and in particular, Occam, now renounced their errors and subjected themselves to the pope. The archbishop of Mentz continued deprived of his rank until the time of his death, in 1353, and Clement saw his perseverance in this long contest crowned, in appearance at least, by a splendid termination. In 1348, he purchased from the impoverished Johanna, queen of Naples, the city of Avignon, which belonged to her as countess of Provence, and Charles IV, as sovereign of the kingdom of Arles, confirmed the transfer of this city and of its territory to the papal see. This acquisition and the nomination of twelve new cardinals, who were principally natives of the south of France, appeared to have ensured the exile of the papal see to an indeterminate time. Clement died in 1352. He acted the part, but not always with success, of mediator and pacificator between the kings of England and of France, of Hungary and of Naples, and between the republics of Venice and Genoa: in 1344, he granted to Lewis De la Cerda, the investiture of the recently discovered, but not yet conquered, Canary Islands, on the condition of paying a yearly tribute. But Lewis was unable to make good his pretensions to these islands.

SECTION III.

INNOCENT VI.—URBAN V.—GREGORY XI.—URBAN VI. OUTBREAK OF THE SCHISM.*

As, after John XXII, the cardinals at Avignon elected a Benedict XII, who remedied, in part at least, the defects and abuses which prevailed under his predecessor;

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* Petri Amelii Itinerarium Gregorii XI, in Muratori, SS. Rer. Ital. tom. iii. p. ii. 690.—Thomæ de Acerno, De Creatione Urbani VI, et Creatione Dn. Gebennensis, in Antipapam, ibid. 715.—Theodorici a Niem, (papal secretary, died 1417) Libri VI de Schismate, Argentorati, 1609.—Acta varia de Schismate Pontific. Avenion., in Martene Thesaur. Anecdot. ii. 1073-1753.—Colucci Pierii Salutati (secretary

so now, after Clement VI, who, in enriching and exalting his relatives, and in employing ecclesiastical benefices for the purpose of amassing gold, passed all bounds of moderation, they chose, as supreme pontiff, the zealous and virtuous Stephen Aubert, cardinal bishop of Ostia, a native of the diocese of Limoges, who had been professor of law at Toulouse, bishop of Noyon and of Clermont. He took the name of Innocent VI. He immediately cancelled the reservations, expectatives, and commends, which had been multiplied by his predecessor; he sent all foreign prelates and clerical parasites from his court to their churches; he prohibited the cardinals from holding, without special permission, benefices in chapters; he contracted the expenditure of his court and the splendour of the cardinals; he expelled from Avignon persons of loose character, who had brought upon that city the fame of immorality. The cardinals had endeavoured in the conclave to confine, for their own advantage, the power of the pope, and to make future pontiffs dependant upon their body in things of the greatest importance. For this purpose they had proposed a number of articles, to which each of them was to swear, and which the new pope was to confirm. By these the pope was to be bound never to raise the number of cardinals above twenty; he could not deprive or imprison a cardinal without the consent of two thirds of his colleagues; he could not, without the same consent, create new cardinals, bestow the higher offices of the Roman court and states, or grant ecclesiastical tithes or subsidies. One half of the revenues of the Roman Church was to be surrendered to them. Innocent, who, as cardinal, had sworn to these articles, with the clause, "as far as they might be conformable to the laws of the Church," and who now saw their pernicious and selfish tendency, which was to

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of the popes Urban V and Gregory XI, and afterwards chancellor of Florence), Epistolæ, ed. Rigaccius, Florent., 1742.

Pierre du Puy, Histoire Générale du Schisme des Papes, Paris, 1685.—Louis Maimbourg, Histoire du Grand Schisme d'Occident, Paris, 1679, 2 vol.

raise the cardinals to an exclusive independent corporation and aristocratic power, having consulted many theologians and jurists, declared them to be null and void.

The States of the Church were divided into small provinces under tyrants, and were upon the point of being lost to the pope, when Innocent, in 1353, sent the cardinal Ægedius Albernoz with a small army of mercenaries, who in a short time restored the power of the pope throughout the greater part of his dominions. With the cardinal was the celebrated Nicolo Rienzi. This man had, in 1347, when the misery of Rome had been carried to its highest degree by the wild lawlessness and the endless feuds of the families of the rude nobles, the Colonnas, Orsini and Savelli, whose bands of retainers plundered and murdered even the pilgrims in the streets, placed himself as tribune of the people at the head of the citizens, with the co-operation of the papal vicar, Raymond, bishop of Orvieto: although he swore obedience to the pope as his rightful sovereign, he restored the forms of the ancient republic of Rome, and had either humbled the nobility or driven them from the city, and had introduced order and regularity. But soon vanity and a love of pageantry drove him into foolish errors: he invited pope Clement to return to Rome; he cited the German kings, Lewis and Charles, to appear before a tribunal of the Roman people. The papal legate, Bertrand de Deux, pronounced against him sentence of excommunication, and in December 1347, he was compelled to leave the city in flight. He now returned, absolved from his censures, and was soon after appointed senator by the pope: he again obtained, as before, the favour of the people, but, by his capriciousness and violence he soon drew upon himself the hatred, and, by his excessses, the contempt, of all. He was slain in a tumult, in the year 1354. The legate named another senator and restored Rome to peace. Charles IV, towards the end of the year 1354, entered Italy, not like his grandfather, with a powerful army, but with a weak and peaceful escort, which, by degrees,

however, became a considerable force. He received the homage of the republics and dynasties, and was crowned as emperor by the cardinals Bertrandi and Albornoz, after he had pledged himself to exercise no power without the consent of the pope, and to remain in the city for only a short time. Since Frederic II, he was the first legitimate Roman emperor, but he deceived the expectations of those who, like the poet Petrarch, had hoped from him the restoration of the imperial authority in Italy, and with it, the return of peace and order. He retired into Germany, engrossed with care for the aggrandizement of his family.

After the death of Innocent VI, whose only weakness was nepotism, William Grimoard, of the diocese of Mende, and abbot of the cloister of St. Victor at Marseilles, and who was then legate in Italy, was elected pope, although not yet a cardinal. He named himself Urban V, and at once declared his resolution of restoring the holy see to Italy. The first demand, which the king of France presented to him, that he would leave to him the nomination of the first four cardinals, could only confirm him in his design. The hordes of plundering marauders who had this time devastated France, and who, whenever they appeared before the gates of Avignon, extorted from him large sums of money, must have made him desirous to leave the country. The emperor Charles IV came, in 1365, to Avignon, and engaged to subdue the furious Bernabo Visconti, the tyrant of Milan, who then oppressed Bologna, and was subjecting to himself the territories of the pope. Urban had hitherto employed in vain the extreme censures of the Church against this man, who boasted that, in his own dominions, he alone was emperor, pope, and God. In 1366, the pope received from Petrarch an eloquent but severe letter, in which the ardent poet presented to him every motive that should induce him to return speedily into Italy, and in which he, in conclusion, asked if he would rather live amongst the sinners of Avignon, or amongst the apostles and martyrs of Rome. But, at the same time, there appeared at

Avignon the Parisian doctor, Nicholas Orême, who came as ambassador of the king Charles V, and in a discourse to the pontiff expatiated on the preference that should be given to France, which had ever been favourable to the popes, and which by the splendour of its schools and the brilliancy of its literature surpassed all other lands. But Urban was firm to his purpose. In May 1366, he embarked at Marseilles, in company with the cardinals, who lamented their fate, as if they were going into exile, and were loud in their complaints against him. He went first to Viterbo, and thence to Rome, where he was received amidst the jubilations of the people, who were weary of the long anarchy under which they had suffered. In the following year, the emperor Charles also passed the Alps, and obliged Bernabo Visconti to accede to terms of peace. He met the pope at Viterbo, and then hastened before him to Rome, where he received him on foot at the gate of the city, and obtained for his consort the crown of empress.

But after the departure of the emperor, who had done little more in Italy than levy fines, imposts, and presents, the position of Urban was full of uncertainty. He stood not yet on firm ground. In the north, he was menaced by the fierce Bernabo; in his own vicinity, Perugia revolted. Lewis, king of Hungary, offered, indeed, to march with ten thousand men to his assistance; but the pope was unwilling to surrender the country as a prey to these hordes. By a nomination of cardinals at Montefiascone, in 1368, in which he raised to that dignity only one Italian and one Englishman, but six Frenchmen, he confirmed the influence of France in the sacred college. Hence, in 1370, despite all the prayers of the Romans, of the pious Franciscan, Pedro, prince of Aragon, and of St. Bridget, who prophecied to him that death would be the immediate consequence of his arrival in France, he returned to Provence. The cause of this step was, he said, to prevent, by his mediation, the threatened renewal of hostilities between England and France. But the

pressing solicitations of the cardinals, his predilection for his native land, and the approaching confusion of Italy, were his principal motives. He died in December 1370, two months after his landing at Marseilles, leaving behind him a well-merited reputation of sanctity. He was a devout, meek, and humble man, who, even after his elevation, lived with all the severity and mortification of a simple monk, and never laid aside the habit of his order. He was also a great patron of learning, and protector of learned men, maintaining, at his own expense, many thousands of poor scholars in different universities. Kings and princes demanded his canonization, which appears to have been prevented only by the subsequent schism. The young cardinal, Peter Roger, a nephew of Pope Clement VI, and son of William, count of Beaufort, now ascended the papal throne with the name of Gregory XI. He also surrounded himself with French cardinals, to the number of no less than eighteen, and thus prepared the way for that sad schism which followed his death. But the general revolt of the States of the Church, which was fomented by the Florentines, in 1375, caused him to think seriously of a journey into Italy. The prayers and exhortations of that most influential saint of the age, the holy Dominican nun, Catharine of Siena, hastened his departure. She had come to Avignon with the twofold object of inducing the pope to return to Italy, and of negotiating a peace for the Florentines, against whom Gregory had adopted the same measures which had before been employed by Clement V against the Venetians. The pope commissioned her to conclude the peace, but she soon saw that the Florentines had deceived her with empty promises. The cardinals, in the mean time, and the king of France, who sent his brother, the duke of Anjou, to Avignon, endeavoured, but in vain, to withhold the pope from his intended departure. Six cardinals remained at Avignon. With the others, Gregory proceeded to Rome, in January 1377; but the States of the Church presented to him a scene of melancholy disorder. Even Rome, which

received him with joy, did not consider itself fully subject to him. Bologna surrendered; and in Florence, the source of all the evil, St. Catharine, who had gone thither as the mediatrix of peace, at the command of the pope, succeeded in calming the minds of the people, but not without peril of her life, and in commencing the negotiations for which the pope had sent his plenipotentiaries. These negotiations were interrupted by the death of Gregory, in March 1378, but peace was concluded under his successor, Urban VI. Gregory had resolved to return to France. The presentiment of his death determined him to decree, by a bull, that the cardinals, without delay, and without waiting for the arrival of their absent colleagues, in any place that they might please, and even without a conclave, should proceed to the election of a new pope, who should be chosen by a simple majority of votes.

In Rome there were, at this time, sixteen cardinals, of whom only four were Italians, one, Pedro de Luna, a Spaniard, the other eleven were French. The latter were not alone in their party, for the men of Limousin, who had for thirty-six years uninterruptedly possessed the pontificate, now excited the jealousy and the antipathy of the other French. The Romans, who had before threatened them with the nomination of a Roman pope, and had cast their eyes upon their fellow-citizen, the abbot of Monte Cassino, now intimated to the cardinals, through their senator, and through the superiors of the twelve divisions of the city, that they must give to the Church a supreme head, by the election of a Roman, or at least of an Italian, pontiff, who, by placing his see in their country, would restore peace, and correct the numberless abuses, and that confusion, which, during the long absence of the popes, had almost brought to ruin the patrimony of St. Peter. The cardinals answered, that this affair could be considered only in the conclave: they promised that the election should give universal satisfaction, and should be for the welfare of the Church. During the conclave, the demands of the people, who would now

hear only of a Roman, and not of an Italian, pope, became louder, and threats were uttered before the palace in which the electors were assembled. But the cardinals unanimously chose Bartholomew Prignani, archbishop of Bari, either because they dared not to elect a French pope, for fear of a tumult, or because the two French parties, not wishing to surrender the pontificate to the opposite faction, gave their votes in favour of an Italian. The pope elect was born at Naples, but his father was a native of Pisa. His virtues had gained for him universal respect, and as he had been employed for fourteen years in the service of the Roman courts, and had filled the office of Roman vice-chancellor, he was well known. When the election was terminated, scenes of confusion ensued. Several of the cardinals, in their dread of the revenge of the Romans, who had been disappointed in their expectations, spread the false report that the aged cardinal Tebaldeschi, who was by birth a Roman, had been elected. He was, therefore, conveyed to St. Peter's, by force, and enthroned. Others of the citizens, hearing of the election of the "Barian," understood, thereby, a French cardinal, John de Bar of Limoges, who was hated by the people. An awful tumult arose in the city, during which some of the cardinals took refuge in the castle of St. Angelo, whilst others fled.

Order, however, was soon restored. The coronation of Urban VI (this was the title of the new pope) passed peaceably by in the presence of the cardinals; all did homage to him, and no one then thought of questioning the validity of his election. The sixteen cardinals again assembled in Rome; and, on the 19th of April, eleven days after the election of Urban, they informed their colleagues, who had remained at Avignon, of all that had been done, adding, that entire freedom and unanimity had reigned amongst them. They addressed similar letters to their friends, and to the princes of Europe. They asserted, indeed, some time after, that they had been compelled to this by

Urban; but their own conduct proves the contrary. The private letters which they wrote at this time, correspond exactly with their public testimonies; otherwise, their colleagues at Avignon would never have recognized Urban. Those cardinals who had left Rome, returned of their own free will, and did homage to the new pontiff. The cardinal of Amiens, the prime mover of the subsequent schism, who was at Pisa during the election, also came to Rome to offer his obedience to the pope. Finally, for three months, they administered the affairs of the Church with Urban; they assisted him in the sacred functions, and had asked and obtained from him favours and indulgences for themselves and for others.

Had Urban followed the counsel of the holy Catharine of Siena, who, in the very commencement of his pontificate, addressed eight letters to him, and afterwards came, at his command, to Rome, he would have created a number of cardinals worthy of their high station, who by their exact conduct would have inspired the others with respect and reverence, the consequence of which would probably have been, that the lamentable schism which followed would have been averted. But Urban displayed a zeal, harsh, impetuous, and imprudent, an inflexible obstinacy and severity; whilst towards his flatterers and relatives he was all weakness and condescension; his inconsiderate violent proceedings must every where have created many enemies. To the bishops, who resided in Rome, he objected their neglect of the laws of residence; to the cardinals, and in the severest terms, their avarice and their voluptuous mode of life. By degrees, the French cardinals, who were embittered by his refusal to accompany them to Avignon, resolved to abandon him. With his permission they retired to Anagni, but even there they continued to acknowledge him as lawful pope, and to seek favours from him. They waited until he should come, as he intended, to Anagni. They had designed to propose to him a new election, under the pretext of destroying all doubt of the freedom of the former, but,

in reality, with the design of electing a new pope, or of freeing themselves of him in some other manner. But Urban, warned of their plans, went, not to Anagni, but to Tivoli, and now the spirit of division was openly displayed. Some of the cardinals, who had already manifested their hostility, or had refused to obey, he threatened with excommunication and deprivation. Otho of Braunschweig, the husband of Johanna, queen of Naples, endeavoured, but in vain, to effect a reconciliation. A troop of freebooters from Gascony and Bretagne, whom the cardinals had called to Anagni to act as their body-guard, defeated, with great slaughter, a body of Romans, who intercepted them on their way, a bloody revenge for which was wreaked by the Roman populace on the numerous French who were then in Rome. They cast even bishops into prison. The cardinals at Anagni now drew over to their party their three Italian colleagues, by presenting to each the hope of obtaining the pontificate: only the venerable Tebaldeschi remained true to Urban, and immediately before his death, in the month of August, he declared solemnly, and before witnesses, that Urban was the true and freely-elected pope. The cardinals then endeavoured to obtain opinions from learned jurists, but the famed Baldo of Perugia, and Giovanni da Legnano of Bologna, proved, by unanswerable arguments, that the election of Urban was valid, and that, even if it were doubtful, it was not for the cardinals to decide thereon, but that a general council should be for that purpose convened. Urban offered them this last resource, and Charles, king of France, whose protection had been asked by the cardinals, sought the opinions of the most learned men of his kingdom, from the majority of whom he received the answer, that only a general council could decide this contest. Still the men who at Anagni, were ready to tear asunder the unity of the Church, would not be convinced. On the second of August, they declared the election of Urban invalid, under the pretext that it had been forced; and yet, the document in which they said this, contained this circumstance, which they ought

to have concealed, that no violence had been used; that no cardinal had been corrupted: they speak only of prayers and entreaties, of the shouts that were heard in the streets, and of their fear that worse might follow. They addressed, at the same time, a public instrument to Urban, in which they said, that they had elected him with the persuasion that he never would have consented to so irregular an act, and that now it was his duty to lay aside the papal insignia, and to expiate by public penance the scandal that had been given; otherwise, the anathema of an apostate and disturber of Christendom would fall upon him. In other writings, they forbade all Christians to pay obedience "to the usurper of the vacant papal see," and they endeavoured to gain to their party princes and kings, and in particular the duke Lewis of Anjou, who was also one of the chief promoters of the schism. The six cardinals who were at Avignon now declared for them. The sixteen then assembled at Fondi, where they were more secure, under the protection of the count Gaetani and Johanna queen of Naples, and there elected the cardinal Robert of Geneva, who was joined by blood or by friendship with most of the European princes, but who was hated in Italy on account of the cruelties with which, when papal legate, he had oppressed the inhabitants of Cesena. The Italian cardinals now saw, too late, that they had been deceived. They separated themselves from the French cardinals and their pope, but fear or shame withheld them from returning to Urban, and, as a medium measure, they proposed the convocation of a synod. By the nomination of twenty-nine cardinals, principally Italian, and who, with the exception of three, accepted the dignity, Urban created for himself a new college. He then excommunicated and deprived the rebel cardinals, and the bishops, who had joined them. In the mean time an assembly of French prelates and statesmen whom Charles IV had convened at Vincennes, declared itself in favour of Clement VII, as the anti-pope now named himself. At first, only the greater part of France, the queen of Naples, and her cousin the duke of Savoy,

declared for Clement: the other nations remained with Urban, or held themselves neutral. The emperor, Charles IV, addressed letters to the different princes, conjuring them, particularly the queen of Naples, to continue true to the first-elected legitimate pontiff, for the preference which they might give to his rival would entail, as a consequence, the degradation of the apostolic see, and the destruction of all Christian obedience. He repeated the same exhortations on his death-bed, to his son Winceslaus; and as Urban confirmed the election of this prince as king of the Romans, Winceslaus formed, with the different states of the empire assembled at Nurnberg in 1379, an union for the assertion and defence of the rights of the lawful pope. The bishops resolved to admit into their chapters only adherents of Urban, and the act of peace, published at Frankfort, contained the condition, that all who partook thereof, should in no wise take part with the anti-pope. Some princes and prelates, however,—the bishop of Spire, the administrator of the metropolitan Church of Mentz, the dukes of Austria and Brabant, the counts of Nassau, of Cleves, and of the March, and the city of Mentz,—embraced the cause of Clement. The English court exerted itself vigorously in favour of Urban: in Spain he was defended by the prince Pedro, the Franciscan, uncle of the king of Aragon: the cardinal de Luna supported his rival. But, by degrees, the example of France drew with it into the schism Castile, Aragon, Navarre, Scotland, and Lorraine. The otherwise well-intentioned king, Charles V, permitted himself to be ensnared and deluded by the cardinals, who carefully guarded the roads, that no messenger or letter from Urban might reach him, and at his imperative command, the Parisian university, which preferred to reman neutral, saw itself compelled to enter the obedience of Clement, notwithstanding the opposition of the Picard and English nations.

Thus, at length, burst the ulcer, the germ of which had been cast into the body of the Church by the fatal transfer of the Roman see to Avignon. In all their de-

formity and in all their contradictory forms, scarcely concealed by the sophistic arts of palliation which were employed, the self-seeking and the pride of those men into whose hands the latter popes had inconsiderately entrusted the destiny of the Church, now displayed themselves before the Christian world. From France the evil sprung, and France was the chief, in fact the only real, support of the schism; for the other kingdoms entered into it only in conjunction with France. But the French Church was doomed to feel the full weight of the yoke which she had, in her fatuity, placed upon her own neck. Bishoprics and prebends were made the booty of the needy shadow-pope and of his court of thirty-six cardinals. He himself was compelled to submit to every ignominy which the haughtiness of the courtiers pleased to cast upon him, and to purchase their favour at the cost of the Church of France, which was thus subjected to the extortions of the courts both of Avignon and of Paris.*

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* Clemangis, De corrupto Ecclesiæ statu, Opp. ed. Lydius, Lugd. Batav. 1613, p. 26.

CHAPTER THE SIXTH.

FROM THE OUTBREAK OF THE SCHISM TO LEO X

SECTION I.

CONTINUATION AND CONFIRMATION OF THE SCHISM. —BONIFACE IX.—INNOCENT VII.—GREGORY XII.*

Robert of Geneva was compelled, in consequence of a decisive defeat which his mercenary bands suffered from the troops of Urban, to take refuge with the queen Johanna at Naples, and when the people there declared against him, to fly to Avignon. By this division in the Church, Italy was plunged in war and confusion. Urban declared the queen Johanna, who had endeavoured to seize his person and to deliver him to his enemies, deposed, and called upon her cousin, Charles of Durazzo, nephew of Lewis, king of Hungary, to whom he granted the kingdom in fief. To procure money for his expedition, the sacred vessels of the Roman Church were sold, and the possessions of pious institutions were alienated. Lewis, duke of Anjou,

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* Vitæ Bonifacii IX, Innocentii VII, et Gregorii XII, in Muratori, iii. p. ii. 831 et seqq.; Leonardi Bruni Aretini, Comment Rerum suo tempore gest. in Muratori, tom. xix. 921 et seqq. ; Ant. Petri Diarium Rom. ibid. tom. xxiv. 973 ; Sozomeni Presb. Pistor, Specimen Historiæ, ibid. tom. xvi. 1055 ; Laur. Bonicontrii, Annales (1360-1458) ibid. tom. xxi. page 1 ; Matthæi de Cracovia, De Squaloribus Curiæ Romanæ, in Walchii, Monumentis Med. Ævi, fasc. 1 ; Acta Electionis Benedicti XXIII, et Gesta Benedicti XIII, dum peragraret litora Genuæ et Massiliæ, in Muratori iii. p. ii. 777 ; Joh. Gersonii, Tract. De Unitate Ecclesiæ ; De Auferibilitate Papæ ab Ecclesiæ, in ejusdem Opp. ed. Dupin. Hagæ Comit. 1728, fol. tom. ii. p. ii.; Acta varia quæ Concilium Pisanum præcesserunt, in Martene et Durand, Vet. Scriptor. ampliss. Coll. tom. vii. 425-1078.

who had hitherto been the most zealous abettor of the schism in France, now prepared to establish it by force of arms in Italy. Clement granted him the States of the Church with the name of the kingdom of Adria, and Johanna made him her heir by adoption. But the assistance which he brought came too late. Charles with little labour made himself master of Naples, and took the queen prisoner. He commanded her to be put to death, and thus revenging upon her the murder of his uncle, her first husband, which had been perpetrated with her consent. Against the army of Lewis, Urban proclaimed a crusade, but disease, which attacked the French forces, produced more powerful effects than the crusade, and by the death of Lewis, in 1384, the invading armament was entirely dispersed. The unhappy Urban, who was surrounded by treason, desertion, and infidelity, and who was, therefore, filled with suspicion and bitterness, went to Naples. Here he quarrelled with king Charles, who was asked to cede to the nephew of the pope, Francis Butillo, a man unworthy of such a favour, the best part of his kingdom, the dukedoms of Capua and Amalfi. Urban was in a short time treated as a prisoner: reconciliation was followed by new quarrels, and to fill up the measure of the misery and degradation of the papal see, he engaged at the same time in contests with his own cardinals. Many of these, discontented with their insecure and oppressive residence at Nocera, with the obstinacy and severity of the pope, who, without asking their advice, involved the Church in new difficulties, obtained from a celebrated canonist, Bartolino di Piacenza, an opinion, that the pope, who, by his incapacity for government, by his wilful blindness, endangered the Church, should be placed under the guardianship of a number of the cardinals, and be made in all important affairs dependant on them. They then resolved to seize his person. According to Gobelinus, it was their intention to try him as a heretic and deliver him to the flames. But Urban, warned of their designs, seized and imprisoned them and subjected them to the torture, but without

obtaining from them any declaration of their guilt. He then, without assigning any precise cause, pronounced excommunication and an interdict against Charles and the city of Naples. He was beleaguered by the king in the castle of Nocera, from which place he escaped and proceeded to Genoa, where he caused five cardinals to be executed.* After the death of Charles III, he increased, by his inflexible severity and by his harsh measures, the state of confusion at Naples, where the adherents of the antipope every day made rapid advances. He finally endeavoured to seize Naples, to grant it, as it was thought, to his nephew. But he failed in his object for want of money and troops, and died, in 1389, at Rome.

He was succeeded by the young cardinal, Peter Tomacelli, a Neapolitan, who took the title of Boniface IX. Robert of Geneva induced the king Charles VI to visit him at Avignon, and succeeded in entangling the French Church more firmly in the schism, by creating the principal bishops cardinals, and by exacting from them an oath that they would never forsake his obedience. He then with a prodigal hand granted dispensations; gave the bishoprics to the ignorant clergy of the court; publicly declared his contempt for theological learning; and extorted from the French Church heavy sums of money, under the pretext of supporting Lewis of Anjou, whom he had crowned king of Naples. Thus were the French clergy scourged severely with the rods which they had themselves bound together. When the university, by its ambassadors, requested the king, in 1390, to endeavour to restore the unity of the Church, they were answered by a prohibition of ever again presenting such requests upon affairs which belonged to the state and to the Gallican Church, not to a body of schoolmen.

Boniface, against whom the antipope had pronounced anathema, supported with all his power the young Ladis-

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* Six had been condemned at Nocera; one, an Englishman, Adam Easton, bishop of London, was saved by the intercession of the king of England.—(*Transl.*)

laus, the son of Charles of Durazzo, who was crowned by a cardinal legate. The necessary supplies of money were obtained by annates, by the grant of expectatives and of dispensations, and partly by investing several of the more powerful barons with power over cities and districts of the ecclesiastical States, for the payment of a yearly tribute, and for the maintenance of troops. By this means, the greater part of the States of the Church was divided into distinct vicariates. In the meantime, a desire was shown by the French court to terminate the schism which divided the Church. An epistle, which Boniface addressed to the king, conjuring him to put his hand seriously to the work, was favourably received: and already, in January 1393, the university and the clergy of Paris offered up public prayers, and formed processions to obtain this desired end. In 1394, the university proposed three means for the extinction of the schism,—the free abdication of both popes, or a compromise upon the decision of arbitrators, or the convocation of a general council. The first means was evidently the most insecure, for it left unsolved the difficulty from which obedience the new election should proceed. The last could not find acceptance at Avignon, as the greater number of the bishops were on the side of the Roman pope. De Luna and the Duke de Berri, who was entirely devoted to the antipope, did all in their power to prevent the efforts of the university, and so far succeeded, that the university was forbidden, in the name of the king, who was now labouring under a weakness of mind, to open any letters referring to these affairs, without having first shown them to the court. The doctors of Paris, however, directed a severe letter to the antipope, requiring him to accede to one of the three above-mentioned propositions. The indignation caused by this "wicked and poisoned letter," and the effects which it produced upon his cardinals, brought upon him a mortal illness.

The king Charles wrote immediately to the cardinals, that they should not enter upon a new election: but as they divined the contents of this letter, they resolved

not to open it before the end of the conclave. Before the election, they swore to a deed, that whoever should be elected pope, would labour for the extinction of the schism, and would, if it were considered expedient by the cardinals for that purpose, resign. The artful cardinal, Pedro de Luna, was elected with the name of Benedict XIII,—a man of insatiable ambition, who had, with hypocritical mien, ever asserted his readiness to offer any sacrifice for the peace of the Church, but who in his actions never exhibited the least good will for such a consummation. Of the two men who had directed the proceedings of the university regarding the schism, he gained one, the eloquent Clemangis; the other, the chancellor Peter D'Ailly, he raised to the bishopric of Pau. He drew also to his court the sainted Dominican, Vincent Ferrer. An assembly of the clergy, which had been called by the king at Paris, in 1395, had in the meantime adopted, as the most secure means of terminating the schism, that of abdication; but, at the representations of the agents of the antipope, the court resolved that the ultimate decision should be left to him. The dukes of Berri, Burgundy, and Orleans, several prelates and deputies of the university, proceeded therefore to Avignon, where De Luna presented to them the miserable display of his endless subterfuges, of his equivocal answers and empty promises, but could not prevent the ambassadors from sending a transcript of the deed, to which the cardinals had in conclave sworn. When his own cardinals declared in favour of the resignation, he condemned this proposition in a bull, and proposed, instead of it, a conference with the Roman pontiff: he endeavoured to win the princes by large promises, and the king by the offer of an ecclesiastical tithe. It would appear, that he retained his usurped dignity with such tenacity, only to expose it to every degree of degradation and contempt. From Paris, ambassadors of the king and delegates of the university were sent to England, Spain, and Hungary, to induce these kingdoms to co-operate in the measures to be adopted for the extinction of the

schism. The university of Oxford pronounced that a general council was the most secure method; but the English king, Richard II, favoured the French proposition, which was to insist upon the resignation of both rivals. The Parisian doctors continued to be the most active agents in this affair: they opened a correspondence with foreign universities, and in an earnest letter to the antipope, declared that if he rejected the only means which could restore peace to the Church, he made himself guilty, not only of schism, but also of heresy: against his censures they appealed to the future, one, and true pope of the universal Church. De Luna repudiated, but in vain, this appeal as void and illusory: it was already proposed at the court of Paris, to take from him the collation of benefices and the right of levying tithes.

An embassy from the kings of France, England, and Castile, in 1397, failed in its object of inducing both Boniface and his rival to resign. De Luna was the more unwilling to yield, as he now counted on the support of the king of Aragon. That the German king, Winceslaus, might be persuaded to promote the same object, he was induced to meet in council king Charles and the French princes at Rheims, in 1398. It was in vain that Rupert, the elector-palatine, represented to him, in a letter full of truth, that by this step, and by the injury he would inflict upon Boniface, he would injure himself, whilst he strengthened France; that France, by supporting the faithless cardinals, had been the cause of all the evil, and that it ought now to apply a remedy to the misery which it had occasioned, and free itself from its false pope; but that he ought not now to enter into the dangerous and unjust design of obliging the lawful pope, as well as the pretender, to abdicate. But these representations made no impression on Winceslaus. He engaged himself to oblige Germany, Hungary, and Bohemia, to adopt the resolution of declaring deposed either pope who should refuse to resign. Charles, on his part, undertook to lead the kings of England, Scotland, Castile, Portugal, Navarre, and

Aragon, into the same measure. In a numerous assembly of the French clergy at Paris, it was resolved, that in France all obedience to the antipope should be withdrawn. This resolution was sanctioned by the king, with the addition, that in filling vacant bishoprics, abbeys, and other dignities, the right of election should be restored. De Luna thereupon declared to Peter D'Ailly, now bishop of Cambray, who had been sent to him, that he would, cost what it might, live and die as pope. Eighteen of his cardinals then abandoned him; of the five who remained with him, four were Spaniards. He was formally besieged by the marshal Boucicaut, in his palace, where this obstinate priest defended himself with the assistance of Aragonese troops, which had been conducted to his assistance by his brother, until 1399, when, by the mediation of Aragonese agents, and for the promise of resigning whenever his rival should do the same, he obtained a position of greater freedom. Castile and Navarre had, in the meantime, withdrawn from his obedience; but the university of Oxford had conceded to the demands of the English court: the French and Spaniards had certainly sufficient cause to cast down their too long honoured idol, but obedience to the lawful pope, Boniface, could not be, without a grievous sin, withdrawn.

The condition of Boniface IX had now greatly improved. The kings, Winceslaus of Germany, and Richard of England, who had adopted the French design of compelling the pope, whom they had before acknowledged, to resign, were deposed about the same time from their thrones. For the deposition of Winceslaus, the German electors had sought the approval of Boniface; and the new king, who had been chosen by the ecclesiastical electors, requested him to confirm their choice. Boniface granted his confirmation, and a tithe of the German ecclesiastical revenues. This pontiff was enabled also now to re-establish his power in Rome, and to unite again all the parts of the States of the Church: his most dangerous enemy, Lewis of Anjou, was compelled to leave Italy, and to abandon for ever

the hope of gaining the crown of Naples. The affairs, also, of the antipope seemed about the same time to prosper. He was liberated from his confinement; and the cardinals who, in 1399, had treated with the court for his deposition on the ground of perjury, and of favour shown to heresy, now prostrate before him, implored his pardon. In 1403, the duke of Orleans the more easily reduced France again under his obedience, as influential men, such as D'Ailly and Gerson, and many of the universities, had ever disapproved of the withdrawal of obedience. De Luna forgot not his habit of general promises of doing all that could remedy the schism, but would admit of no precise demands. He again began to dispose, as absolute master and according to his own caprice, of the property and dignities of the French Church.

Boniface died at Rome, in 1404, at the very time when ambassadors from the antipope had arrived there. As these ambassadors informed the cardinals, who had questioned them, that De Luna was in no manner inclined to abdicate, a new election was commenced, which terminated in favour of the cardinal Cosmato Migliorati of Sulmona. The cardinals had bound themselves by oath that whoever should be elected should adopt every means, and if necessary, should lay down his dignity for the extinction of the schism. The new pope, Innocent VII, was compelled by tumults at Rome to fly to Viterbo, whilst De Luna, who had been received at Genoa, encouraged the hope that he might now establish his see in Rome. He pretended, however, that he was prepared to meet Innocent in congress and to resign together with him. But in France, men now began to see through his faithless pretences, and in a national synod which was held at Paris, in 1406, in presence of the king and princes, the necessity of a general council was resolved unanimously, and the withdrawal of obedience from him was declared by a majority of voices. But nothing was done. When, however, the intelligence was brought that, after the death of Innocent VII, the cardinal Angelo Corraro, a

Venetian, had been elected with the title of Gregory XII, the assembly united in the resolution that Benedict (De Luna) must offer to resign, and be made to fulfil his offer, or consent to be considered by the Church of France as a corrupted member, separated from the universal Church. In fact, the Roman cardinals had sworn in conclave, that he whom they should elect, should resign as soon as the antipope should do the same, or if the cardinals of his obedience should, after his death, unite with the Roman cardinals in a new general election.

The legates, whom Gregory sent to Marseilles to meet De Luna and his cardinals, concluded, after long negotiations, in 1407, a treaty, by which both popes were to meet at Savona, that they might deliberate on the union of the Church, and in case no other means should offer itself, both were to abdicate. At the same time there arrived a deputation of thirty-six French prelates and theologians, the bearers of the proposal to De Luna to issue a bull expressive of his intention to resign: but all their efforts failed before the exhaustless subterfuges of the man, who, prodigal as he was in verbal promises, would not bind himself by any document. With no better success did a part of the delegation treat with pope Gregory at Rome. He manifested an unconquerable aversion to the conference of Savona. Throughout the entire of this business he manifested that weakness and unhappy want of firmness, which made him, although a man of good intentions, an instrument in the hands of his relatives. Gregory, in the fear of being surprised by the artful De Luna, and prompted by his relations, issued an apology, in 1407, from Siena, in which he gave as the cause of his refusal to appear at Savona, according to the treaty of Marseilles, the non-completion of the conditions which he had proposed, the strong suspicion that snares had been prepared for him, and the unwillingness of the kings of Hungary and Naples. De Luna, who saw with joy that the odium of preventing the congress might be retorted upon his adversary, appeared in triumph at Savona, and threw back every offer of Gregory that

another Italian city, or two neighbouring cities, might be chosen for the conference. In 1408, he went to Porto Benere, and thence to Sarzana, but could never be induced to leave the coast of the Genoese territory, which was under his obedience. Gregory would not depart from Lucca, and he saw with pleasure, Ladislaus, king of Naples, frustrate an attempt of De Luna, and of Boucicaut, the French governor of Genoa, who had endeavoured to seize possession of Rome, and to take for himself this city and a great part of the States of the Church.

In the meantime, Gregory resolved, contrary to his word given in conclave, to create for himself a new support by the nomination of four cardinals, to counteract the influence of those who were incessant in their solicitations for his abdication, and upon whose fidelity he could hardly depend. Hence arose a rupture between him and the sacred college; they left him, and in spite of his prohibition, they went to Pisa, where they appealed against him to the future council, and to the next pope. On the other side, the king of France had declared, in an act addressed to all the faithful, that unless the unity of the Church were restored before the festival of the Ascension, he and his entire kingdom would embrace a neutrality, that is, they would acknowledge neither of the two contending popes De Luna then addressed a bull to the king, in which he drew out the whole power of papal censures and punishments against those who should withdraw themselves from his allegiance. The bull was publicly torn in pieces in Paris; the bearer of it was severely punished, and France. for the second time, renounced its obedience to this false pope. At the instigation of the university, which was again the chief actor in this affair, severe measures were adopted against all ecclesiastics who should continue to acknowledge Benedict XIII. De Luna had, in the meanwhile, to escape from Boucicaut, who had given signs of a wish to seize upon his person, fled to Perpignan, where he summoned a council. He had learned that the cardinals of his party, whom

he had sent to negotiate with those who had separated from Gregory, had agreed with them, and had joined themselves with them at Leghorn, and that the two colleges would unite to form a general council for the re-establishment of ecclesiastical unity. In the edict, which fixed the opening of the council for the 20th of March, 1409, at Pisa, the cardinals (or rather only those of the Roman obedience) endeavoured to justify their proceedings. It was certain, they said, and acknowledged by the universities, and in particular by that of Bologna, that the two rival popes were bound, both by their oaths, and by the uncertainty of their right, to resign: that by their obstinate refusals, they had made themselves abettors of schism, and that all were bound to withdraw from their obedience. As neither of the popes could call the council or preside therein, this duty had fallen to the cardinals. But they forgot that by their assertion, that it was doubtful who was the lawful pope, they also placed in doubt their cardinalitian dignity, their right to take this step, and the lawfulness of the approaching council. Gregory, having in vain summoned the cardinals to return, declared them deprived of their rank, and convoked a council, which was to meet at Pentecost 1409, in the patriarchate of Aquileia, or in the province of Ravenna. Whether, by this convocation he anticipated the edict of the cardinals, as he afterwards asserted, is uncertain. He then named some new cardinals at Siena, and deprived his chief adversary, the cardinal Baltassar Cossa, who had been the principal instrument in the separation of the college from the pope, of the legation of Bologna and of the Romagna. But the cardinals acted as if the papal see were already vacant: they conferred upon one of their own body the government of the march of Ancona, and made no scruple of attacking the aged pope with the most evident calumnies.

De Luna, whose cause was still defended by Castile, Aragon, Scotland, Savoy, and Lorraine, opened his council at Perpignan, in November 1408. The deliberations of this council had, however, this, to him,

unwelcome issue, that he was requested to resign, and that a deputation of prelates was sent to Pisa to negotiate with the cardinals. The greater part of the kingdoms and nations of Europe favoured the united cardinals and prepared themselves to farther the progress of the council, which had been convoked to meet at Pisa. Sigismund of Hungary and the republics of Florence and Venice endeavoured to effect a reconciliation between Gregory and the cardinals. But the latter rejected the proposal of the pope to form a council, and Gregory thought that he could in no wise acknowledge the assembly at Pisa. His reasons were, indeed, of weight. They had, he remarked to the Florentines, given judgment before the judge had been named, and had called the synod that it might approve the decision already pronounced by the cardinals: the right of convening a general council appertained only to the pope: he was ready to hold one, convened by mutual understanding and to leave the nomination of the place to two arbitrators designated by him and by the cardinals: he could not accede to the council which had been convoked at Pisa, without degrading the papal authority, and without leaving to future ages a fearful example of the trembling of that see, upon the stability of which the welfare of the Church depended.

Far different principles were maintained by the chancellor of the university of Paris, John Gerson, in writings in which he discussed the state of the Church, and the remedies that were to be applied to its evils. In the work which appeared at the beginning of the year 1409, in defence of the approaching synod of Pisa, he maintained the false principle, that as two competitors asserted an equal right to the same dignity, the contest would be most easily terminated by excluding both, and introducing a third party. The unity of the Church would, he said, be preserved by its connexion with its invisible head, Christ; and whenever the pope was either corporally or civilly dead, or was not recognized by the faithful, the Church could give to itself a new head in a council convened by the cardinals. He pro-

ceeded to still farther lengths in his book "On the Separation *(auferibilitas)* of the Pope from the Church," wherein he wished to prove, that there could exist cases, in which the pope might be deprived of his dignity, as the Church must have the same right—which (according to the Aristotelian system) other free states enjoy—of deposing an incorrigible sovereign. Gerson's predecessor, D'Ailly, now bishop of Cambray, wrote, about the same time, two treatises in defence of the Pisan synod. More temperate than Gerson, he supposed only three cases in which an œcumenical council could be assembled without the participation of the pope. Of these one was the case of a schism, in which the claims of the pretenders might be uncertain. That in the event of a schism, a general council could be convened without the convocation and presidency of the pope, had been before maintained by Henry of Hesse, surnamed of Langenstein, in a work published in 1381.

SECTION II.

COUNCIL OF PISA.—ALEXANDER V.—JOHN XXIII.—PREPARATIONS FOR THE COUNCIL OF CONSTANCE.*

At Pisa, where the synod opened the 25th of March, there were present, first fourteen, and afterwards twenty-three, cardinals of both obediences, twelve archbishops, eighty bishops, and eighty-seven abbots. There arrived, also, one hundred and two procurators of absent bishops, and two hundred of absent abbots, the

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* Varia Acta Concilii Pisani et ad illud spectantia, in D'Achery, Spicilegio, t. i. p. 803-862 ; Harduini Acta Concilior. vii. 1929-1962, and viii. 1-204 ; Bonifacii Ferrerii, Tract. pro Defensione Benedicti XIII, in Martene, Thesaur. ii. 1435 ; Poggii Bracciolini, Historia Florentina, ed. Recanato, Venet. 1715. 4to. ; Theodorici a Niem, Vita Johannis XXIII. in H. v. d. Hardt, Concil. Constant. t. ii. p. xv. ; Joh. Gersonii, De Modis uniendi et reformandi Ecclesiam in Concilio Universali, opp. t. ii. p. ii.

Jacques L'Enfant, Histoire du Consile de Pise, Amsterd. 1724, 2 vols. 4to.

generals of the four mendicant orders, the deputies of the twelve universities of Paris, Bologna, Toulouse, Orleans, Angers, Montpelier, Florence, Cracow, Vienna, Prague, Cologne, and Oxford, the delegates of more than one hundred cathedral chapters, three hundred professors of theology and canon law, and, lastly, the ambassadors of the kings of France, England, Portugal, Bohemia, Sicily, Poland and Cyprus. France sent more than one third part of the prelates and delegates; after France, England, Bohemia, Lombardy, Tuscany, and the electors of Cologne and Mentz, sent the greatest number of representatives. The German king, Rupert, who, contemplating affairs with a just view, had before said that the path upon which the cardinals had entered would lead to a tri-partition of the schism, and to greater evils and divisions in Christendom than had for ages existed, remained, together with the elector of Treves, and the house of Bavaria, steadfastly attached to Gregory, to whom Naples, and some other smaller Italian states, also remained faithful; whilst Spain and Scotland persevered in the obedience of De Luna. Guido of Malesec, the eldest of the cardinals, presided at Pisa until the election of Alexander V. Angelo Corraro (Gregory XII) and Peter de Luna, were cited to appear: in the third session they were declared contumacious. But there now arrived at Pisa, as delegates of king Rupert, the archbishop of Riga, the bishops of Worms and Verdun, and Conrad of Susat, a canon of Spire. They raised a series of strong objections against the legitimacy of the council, and required that a place and time should be designated by the council and by Gregory, for a synod, in which the pope might execute his promise of resignation. After they had appealed to a future lawful general council, against all the acts of this pseudo-synod, they left the city with a haste that bore the appearance of flight. Charles Malatesta, lord of Rimini, appeared at the same time before the cardinals, in the name of Gregory; but he confined his demands to this one, that the cardinals and prelates at Pisa should remove to Pistoja, where

Gregory and the bishops of his obedience would unite with them. Nothing, however, was done. In the eighth and ninth sessions the council declared itself œcumenical, representing the entire Church. It then approved of the union of the two colleges of cardinals, and decreed that a general and absolute renunciation of obedience to the two popes should be declared. The cardinals of De Luna's party had already withdrawn from his obedience. In the following sessions the council was employed in examining the accusations which were made against Gregory and De Luna, and in hearing witnesses. In the fifteenth session the two popes were pronounced incorrigible heretics, and obstinate schismatics, who were now deprived of all ecclesiastical rights and dignities, and expelled from the communion of the Church. Preparations were then made for a new election, and as the conviction that the many and heavy abuses in the Church called for a speedy remedy, was loudly and universally expressed, the cardinals subscribed a written declaration, that whoever might be elected pope would continue the council until effective remedies for the reformation of the Church and its head and members, should be adopted. The nuncios of De Luna, who had in the mean time arrived, were received at the desire of the delegates of Aragon, in a particular congregation: but as their master had a short time before issued a bull of excommunication against his former cardinals, they met with so unfavourable an audience that they departed quickly and secretly from Pisa.

On the 15th of June, the cardinals entered into conclave, and on the 26th of the same month, they elected Peter Filargo, a native of Candia, who had been a Franciscan friar, and had been raised to the dignity of archbishop of Milan and of cardinal. This aged, weak, but pious man was entirely under the guidance of cardinal Cossa, who, averting the election for the present from himself, had directed it in favour of Peter Filargo. The new pope, who entitled himself Alexander V, presided in the last sessions of the synod, but

laus. Accompanied by a small and impoverished retinue, he withdrew to Gaeta.

Lewis of Anjou, whom the Pisan synod had acknowledged as king of Naples, and whom Alexander had named as Gonfalonire of the Roman Church, took from Ladislaus the city of Rome, and part of the ecclesiastical state. But Alexander, who might have now placed his see at Rome, and by this means have exalted his authority, went, in obedience to the will of Cossa, to Bologna, where this cardinal ruled at his pleasure, and died there on the 3d May 1410. The subsequent conclave was wholly under the despotic influence of Cossa, who was in Bologna at the head of an armed force. An ambassador from Lewis of Anjou urgently required the cardinals to elect the legate; and thus it came to pass, that a man who was skilled only in the arts of war and of a conscienceless policy, — a man, whose character was famed for avarice, cruelty, intemperance, and violence, so that he was afterwards accused of having poisoned his predecessor,—was elected supreme pontiff, and was acknowledged as such by the majority of the Christian nations. Of all the consequences of the unblessed council of Pisa, this was the most fatal. A native of Naples, Cossa had risen to ecclesiastical honours by the favour of Boniface IX. He was created cardinal in 1402, and by his haughty opposition had greatly harassed the pontiffs Innocent and Gregory. He now took the name of John XXIII. He excommunicated his two rivals, but suspended the censures which had been pronounced against their adherents, at Pisa. From Bologna, at the persuasion of Lewis of Anjou, he went to Rome, in January 1411, to carry on with greater energy the war against the protector of Gregory, Ladislaus king of Naples, against whom he soon after proclaimed a crusade. At Rome, he created thirteen new cardinals, amongst whom were several distinguished men, such as Peter D'Ailly, bishop of Cambray, Ægidius Deschamps, bishop of Coutance, William Fillastre, dean of Rheims, and Francis Zabarella, the learned bishop of Florence.

Cossa and Ladislaus, who were like to each other in

their reckless adoption of means for the attainment of their own self-interested ends, soon came to an understanding with each other. Cossa granted to Ladislaus the kingdom of Naples, in 1412, and empowered him to seize the island of Sicily, which was then possessed by the king of Aragon: he at the same time assisted him with a large sum of money. In return for these favours, Ladislaus abandoned Gregory, who now took refuge at Rimini, under the protection of the ever friendly house of Malatesta. Cossa held at Rome a council for the reformation of the Church, which was numerously attended, but which was wholly enefficient for its intended purpose. He was compelled soon after to abandon Rome to the faithless Ladislaus, who had again taken arms; and whilst the king of Naples, amidst awful cruelties and shameful profanations, seized upon the city and the Ecclesiastical States, the fugitive John fled, in his distress, to Sigismund of Hungary, who had lately been elected king of the Romans. A short time before his arrival in Italy, Sigismund had signified to the pope, by his ambassadors, that the nomination of the time, when the new synod for the extinction of the schism and for the reformation of the Church should be held, was to him a subject of much thought. John, whose only hope was in the protection and assistance of Sigismund, gave to the legates whom he sent to him, unlimited powers to treat with the king. The legates accepted the imperial city of Constance, which was proposed by Sigismund; and it was in vain that John, in the conferences which he held with the king at Piacenza and Lodi, towards the end of the year 1413, endeavoured to persuade him to name, instead of this German city, a place in Lombardy, where he would be more powerful. On the 30th October, Sigismund invited to Constance all Christendom, and in particular Gregory and De Luna, promising safe conducts to all. John was obliged to issue, on the 7th December, the bulls by which he decreed the opening of the council on the 1st November 1414.

What awaited him at Constance, John could easily

foretell, from the declaration made by the ambassadors of Sigismund to Charles, king of France, that the synod should decide who of the three competitors should be considered the rightful pope. The university of Paris, which was guided by the powerful influence of D'Ailly and Gerson, had come to the decision that the schism could be entirely extirpated only by the simultaneous resignation or deposition of the three rivals. In a new work "On the Method of uniting and reforming the Church," Gerson asserted that even a pope, whose right was not contested, might be deposed for the sake of the union of Church, or on account of evil conduct, and that this could without doubt be done, when three popes contended for the pontificate: that such a pope could not preside in a council, or perform any act in the government of the Church. He had before said, that the new council should be more perfect and more holy than that of Pisa, which had followed the first impulses of an unripe zeal: he had given a severe and biting account of John XXIII, of his bulls, of his court and of his cardinals.*

Freed, by the sudden death of Ladislaus, from the immediate danger which had made him docile to the demands of Sigismund, John endeavoured to avoid the more remote danger which threatened him at Constance, by pretending that his presence was necessary at Rome: but the earnest representations of the cardinals obliged him to adhere to his promise. He, however, required from Sigismund and from the magistracy of Constance, a pledge of full liberty and personal security. At Trent, whilst on his journey to Constance, he endeavoured to create for himself a support, in the person of Frederic, the powerful duke of Austria, who was at this time at enmity with Sigismund; he named Frederic chief captain, or gonfaloniere of the apostolic

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* This work is expressed in a tone of such passion, and so replete with historical errors and false principles on the nature and constitution of the Church, that it would appear to have been the production of a Wycklifite rather than of Gerson. Many circumstances concur to persuade that it never was written by Gerson.

see, his counsellor and confidant. On the twenty-eighth of October, attended by a numerous retinue, he made his public entrance into Constance, and on the fifth of November opened the synod, which he advisedly designated as only a continuation of the council of Pisa, that his two rivals, who had been condemned and deposed at Pisa, might not now be opposed to him.

SECTION III.

THE COUNCIL OF CONSTANCE.*

During the weeks which closed the year 1414, and those which opened the following year, there assembled at Constance the most numerous and the most brilliant council that Christendom had ever yet beheld. Eighteen thousand ecclesiastics were here met together. Amongst these there were twenty archbishops, ninety-two bishops, and one hundred and twenty-four abbots. Of the prelates, the Italians and Germans exceeded in number those of other nations: the former accompanied the pope, the latter were drawn by the proximity of the city. Among the temporal nobles, the most conspicuous were the king Sigismund, the dukes of Austria, Saxony, Mecklenburg, Pomerania, and Lorraine; four dukes from Bavaria, and Lewis, the count palatine of the Rhine. More than thirty thousand horses and one

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* Herman. v. d. Hardt., Magnum Oecumenicum Concilium, Constantiense, Frankf. et Lips. 1697-1700, 6 vols. fol.; Theodorici Vrie (an Augustinian of Osnaburg, who was present at the council), Historia Concilii Const. apud Hardt. tom. i. p. i.; Ubr. v. Reichenthal, Concilium, so zu Constanz gehalten ist worden. (The council that was held at Constance) Augst. 1536; Bourgeois Duchastenet, Nouvelle Histoire du Concile de Constance, Paris, 1718, 4to. (consisting almost entirely of documents); Theod. a Niem, Invectiva in Johannem XXIII, apud. Hardt. tom. ii. p. xiv. and xv.

J. Lenfant, Histoire du Concile de Constance, ed. ii. Amsterd. 1727, 2 vols. 4to.; Emman. Schelstrate, Compendium Chronol. Rerum ad Decreta Const. spenctantium, before his Tractatus de sensu et auctoritate Const. Concilii. Roma, 1686, 4to.

hundred and fifty thousand strangers could have been counted in the city. John hoped to find a powerful support in the French clergy, and he therefore addressed to them briefs to accelerate their arrival. The French Church sent from each province, bishops, abbots and doctors, as their delegates to the synod. From the university of Paris alone, where each nation and each faculty elected its delegates, there were present two hundred doctors. Even the cardinal of Ragusa, who came as the nuncio of pope Gregory, having obtained letters of safe conduct, sat in the council in his cardinalitian robes, accompanied by the elector of the palitinate, and by other nobles, who were in the obedience of Gregory.

So long as Sigismund was absent, no open or systematic attack was made against John: it was, however, intimated by the cardinal D'Ailly, that the abdication of the three popes was the surest means towards the pacification of the entire Church. But after the arrival of Sigismund at Christmas, the prospects of John became every day more gloomy. The delegates of Gregory declared in a public audience that he whom they represented, was prepared to resign provided that his two rivals would take the same step, and that Cossa should not preside over the synod or insist upon his abdication as pope. De Luna, according to a plan suggested by Sigismund himself, proposed an interview between that monarch and the king of Aragon, at Nice. In the meeting of the cardinals and bishops, which the German king held in his residence, and to which John was not called, the cession of the three pontiffs was mentioned more definitively, proposals were made, and the cardinal Fillastre declared that John would acquire glory by a voluntary resignation, but that to resign was a duty. John, however, had his adherents and supporters, who placed their cause on the authority of the council of Pisa, and asserted that by the proposal that John should resign a reproach was cast upon that council, as if it had been irregular, of no utility to the Church, and had not acted with prudence in the election of a pope. The

cardinal D'Ailly replied in a memorial, written in answer to this objection,—that now the circumstances of the Church were the same as before the council of Pisa, and the confusion greater; that if then the resignation of the rival pontiffs were preferred to all other measures, the same must now appear even more necessary: that in so confused a state of things, the Church, or the council, which represented the Church, could, for the sake of peace, compel the pope to resign, or could depose him who should refuse, as a schismatic, and one suspected of heresy.

All the plans and calculations of Cossa were frustrated by the order in which the deliberations of the synod were conducted. In the peculiar composition of the assembly, in which the bishops formed only a small number in comparison with the great mass of the other clergy, and, as among the doctors and deputies of the universities, and those who were connected with the ecclesiastical state, there were many laymen, it appeared doubtful who should take part in the suffrages, and in what manner they should be conducted. Cossa and his adherents required that only the bishops, amongst whom were many of his creatures, should give a decisive voice. But the cardinal D'Ailly, with whom was Fillastre, maintained on the contrary, that all, even the ambassadors of princes, the doctors, the procurators of prelates and of chapters, should give their votes on the subject of ecclesiastical union. A distinction, he said, must be made between affairs purely spiritual and the present subject of the schism: in this all who had been invited to the council could give their judgment. The whole assembly was then divided into four nations, the Italian, French, German, and English; after the deposition of De Luna, a fifth, the Spanish, was added. Each nation had its own president, who was changed every month, and formed a distinct court, before which the subjects of deliberation were, in the first instance, discussed, and in which every member, without distinction, voted. The nations laid before the general conference the result of their counsels, and the result, which

was decided by a majority of nations, was brought before the next session of the council. Consequently, nothing new was determined in the sessions: that which had been before resolved by the majority was confirmed and proclaimed. In this manner the preponderance of the Italians, who had the greater number of bishops, and who generally favoured Cossa, was destroyed.

Cossa, who was informed by his spies of all that had passed in the congregations, was busily engaged, intent upon impeding, by means of artifice and corruption, the progress of the council, when an unknown hand presented a memorial which laid to his charge a series of shameful crimes, and the king and the nations were called upon to institute a strict judicial inquiry. John trembled. In the anguish of his mind, he offered to confess publicly before the synod those points of the accusation which might be supported: for, he asserted, a pope could be deposed only on account of heresy, and of this he knew himself to be innocent: after this, the council would suffer the other accusations to fall. His friends warned him not to act with precipitation; but the nations, in an assembly which was held the 15th of February, resolved to propose his abdication. The Germans, French, and English were unanimous: the Italians for a time resisted. Cossa, to whom this demand appeared a less evil, when compared to a criminal process, presented a formula of abdication, which was accompanied, however, with clauses, that would in reality defer his resignation according to his own pleasure. Sigismund and the nations presented a more definitive formula, which required that the pope should promise and swear that he was willing to give peace to the Church by his abdication, so soon as Corraro and De Luna should resign. They asserted that the extinction of the schism depended upon his act of abdication. After a long opposition, Cossa, induced at length by fear or by policy, received this formula, and read it before the council at its second session, on the 2nd of March. Finally, yielding to the compulsion of the king, he announced

his intention in a bull. Sigismund was now about to proceed, accompanied by several cardinals, and by delegates from the nations, to Nice, to negotiate with De Luna, and it was hoped that the haughty Spaniard would be found willing to resign his pretensions, if John would nominate the king, and the prelates who were to be of his company, the procurators of his abdication. But John and the Italians rejected the proposal, and a suspicion was now awakened that they meditated a flight from the synod. Sigismund, therefore, placed guards at the gates of the city. In Constance there arose confusion: in the congregations the election of a new pontiff was spoken of, and whilst every attempt was made to induce John to take a part in the procuration, he complained that violence was offered to him, and made the proposal, through the design of which it was easy to penetrate, that the synod should be transferred to the vicinity of Nice, that he might, as he said, confer personally with De Luna. An attempt of the Italians to win over the vacillating French, who hoped to see the English and Germans abandoned in their design of effecting the abdication by procuration, was happily frustrated.

The only alternative which now remained to Cossa, was between surrender and flight. He chose the latter. In the guise of a courier, and with the assistance of the duke of Austria, who soon followed him, he departed from Constance. From Schaffhausen, he issued a mandate to the prelates of the Roman court, to his officers and servants, who were at the council, obliging them, under pain of excommunication, to present themselves before him within six days. To Sigismund and the cardinals he wrote, that at Schaffhausen, a place more favourable to his health, and where he was free from all constraint, he would consider on his promised abdication, whilst in his letters to the princes and universities of France, he expressed himself in bitter complaints against the proceedings of Sigismund, against the division of the council into four nations, and other subjects. The synod, of which Cossa had, by his flight, hoped to

effect the dissolution, was held together by the firm yet discreet conduct of the king. Gerson, in an oration, to which the cardinals would not listen, asserted that it was the duty of the pontiff to yield obedience to a general council; the other theologians of the university of Paris then drew up a memorial, the substance of which was, that the Church, lawfully assembled, could in many cases judge the pope, who received his authority from the Church; that it could correct him, and even depose him; and that the authority of such an assembly was superior to that of the pope, as it could form decrees against which he dared not to act. This document, in which a confusion of ideas, arising from the unnatural separation of the Church from its head, the pope, and from the opposition of the one to the other, was unavoidable, was not approved by the council. The patriarch of Antioch, in a memorial, opposed to the former, defended the authority of the pope, and proved that the supremacy did not flow from the Church, but was conferred by Christ; and that the synod, as long as it was separated from the pope, was a powerless body without a head. These, and other similar reasonings, would have made a deeper impression upon the synod, had they been urged free from degrading personalities. Hence the reply of the cardinal D'Ailly met with greater support,—that the pope was not head *of* the synod, but the head *in* the synod, as he was superior to any of its members; but as the whole is greater than any of its parts, and as the pope was only a part of the synod, the synod must be greater than the pope, and its authority consequently greater than his. But in this it was not considered, that except in an extraordinary case, such as was the then existing schism, a synod without the pope would be no more than a fragment, not an entire whole. To ensure a justification of their future proceedings against Cossa, they might have questioned the validity of his claim to the papal dignity; but this would have been, on the one hand, to question also the authority of the present council, which had been convened by him; whilst, on

the other, Gerson, and those who thought with him, made every effort to obtain the formal introduction of a principle, which, according to them, could be maintained in the Church, no less than in the state. In civil society,—this was the assertion of Gerson,—the sovereign was subject to the different states, and might be deposed by them.

Three cardinals and the archbishop of Rheims followed Cossa to Schaffhausen, for the purpose of inducing him to nominate the procurators, who should, in his name, conduct the act of abdication. The archbishop returned, the bearer of two declarations from Cossa. The first was only verbal,—that it was not through fear or dissatisfaction, but only for the benefit of his health, that he had left Constance: the second was a brief to the cardinals, empowering them, and four procurators, to be selected from the four nations, to effect the abdication in his name, as soon as De Luna and Corraro should resign or die. But Cossa now possessed no confidence at Constance. His declarations against the council were well known; and it was thought that he endeavoured to dismember it, by attempting to allure away the cardinals. Of the sixteen who were attached to him, ten were already at Schaffhausen; of the others, only D'Ailly and Zabarella took part in the third session, which was held on the 26th of March: of the other prelates, there were present only seventy bishops and abbots. It was herein declared, that the present council, which had been lawfully convened and commenced, was not dissolved by the departure of the pope, or of any number of the prelates; and that it could not be dissolved until the schism had been entirely removed, and the Church reformed in its head and members. The synod could not therefore cease to exist, save by a decree emanating from itself; and no one could for the future absent himself without a reason to be approved by the council.

In the interval between the third and fourth sessions there reigned amongst the members of the synod great excitement and division. The cardinals returned to

Constance, but the new proposals of Cossa were received with great displeasure: his proceedings, of which art and duplicity were the accompaniments, threw a doubt upon the intentions and views of the cardinals, and the theologians of the principal schools, who exercised an unbounded influence over the three nations, wished to seize the favourable moment to confirm, by a solemn decree, their system of the superiority of councils over the Roman pontiff. Gerson, who was the soul of this movement, had before asserted,* that it was only by the miseries and confusion of the schism, that the synod had been taught to reject the hitherto prevailing doctrine of the superiority of the papal authority; and that he who should assert the contrary, would bring upon himself the suspicion of heresy.

In the congregation of the 29th of March, from which the Italian nation and the cardinals absented themselves, the following four articles were unanimously adopted.—1. The synod derives its authority immediately from God, and every one, of whatever state he may be, even of papal, is bound to obey it in all things regarding faith, the destruction of the schism, and the reformation of the Church, in its head and members. 2. Whoever should obstinately oppose the decrees of this, or of any other œcumenical council, was to be punished according to the law. 3. The flight of the pope, by which he had in view to dissolve the council, subjected him, unless he should justify himself, or give satisfaction, to the greatest suspicion of schism and heresy. 4. Pope John and all the members of the council had always enjoyed full liberty at Constance.

Against these articles the cardinals and the Italians entered their protest. They required that, in the first, the words, "the reformation of the Church in its head and members," should be omitted, and that the three others, as being contrary to the honour and dignity of the pope, should be wholly suppressed. During

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* Gerson, Tract. de Potestate Eccles. consid. x. et xii.

these transactions, arrived the intelligence, that Cossa had removed to the more distant town of Laufenburg, and that he had, in violation of his promise and oath, which he had made in the second session of the council, protested against its acts. This announcement augmented, of course, the spirit of dissension, and the hostile feeling against Cossa. The contention regarding the articles continued until the commencement of the fourth session, when Sigismund proposed a measure, in consequence of which, the cardinals and the delegates of the French court, who had now united with the cardinals, consented to attend the session. The nature of the measure is not recorded; but we may learn from the decrees, as they were formed in the session, that in it the clause regarding reformation, in the first article, was omitted, and the second and third articles entirely suppressed. The cardinal Zabarella read the articles, with this introduction, –that the sacred synod, which formed a lawful œcumenical council for the removal of the schism, for the reunion, and improvement of the Church in its head and members, commanded, decreed, and declared, for the more easy, more certain, more free, and more effectual accomplishment of this reunion and improvement, as follows. Then followed the first article, but without the clausula on reformation. The second article declared, that without the consent of the council, pope John could not withdraw from Constance the papal court, the officers and other persons, whose absence might cause the dismemberment of the synod. The third declared as null all proceedings of the pope to the prejudice of any members of the council. The fourth decreed the formation of a committee, to determine the motives of those who might wish to leave the council; and, in the fifth, the pope was required to create no new cardinals during his absence from the council.

The theologians of the three nations, who were aware that the omission of the clause, in the first article, had been conceded to the cardinals and their

friends, imagining that Zabarella had himself suppressed it, could not restrain their indignation against him, and resolved to replace it in the following congregation. A bull, now published by Cossa, in which he ascribed his flight to fear, and to the violence that had been done to him, increased the bitterness of his adversaries. Before the fifth session, which was held on the 6th of April, the seven cardinals, who intended to be present, protested, together with the French delegates, that they would indeed attend, to avoid suspicion, but that they would not give their sanction to the decrees that might be formed. The bishop of Posen read the articles, of which the first ascribed to the synod supreme powers, even for the reformation of the head and members of the Church. Thus the second article of the congregation of the 29th of March, which had been afterwards suppressed, was restored. The third and fourth corresponded with the second and third of the fourth session, and the fifth with the fourth of that congregation. Thus, in consequence of the new regulation, by which the voices of the consulting theologians and canonists were made all-powerful, and by which the twenty voices of the English nation counterbalanced the two hundred of the French or Italians, did Gerson and his party triumph, and the doctrine that the pope was subject to the council was solemnly declared. But much was wanting, that was necessary firmly to establish this principle. The assembly itself, which proclaimed it, assumed indeed the authority of an œcumenical council, representing the universal Church; but it, in truth, consisted of only those who were in obedience to the Pisan pope, whilst those in obedience to the others had neither been formally called, nor were they represented. Even the Roman Church was not represented, for there was no pope present, and the cardinals did not give their suffrages as a college, but divided into different nations. In Constance, too, the contrary doctrine of the superiority of the pope was maintained at a later period by many. D'Ailly, indeed, afterwards,

in his writings, defended the superiority of the council, but without considering the questions as definitively decided, and without appealing to the authority of this decree of the fifth session. Finally, succeeding lawful pontiffs never gave their sanction to this decree.

SECTION IV.

CONTINUATION.—ELECTION OF MARTIN V.—TERMINATION OF THE COUNCIL.

Baltassar Cossa had, by this time, fled to Freyburg in Bresgau, whence he made an offer, accompanied by extravagant conditions, of his abdication. The synod in return sent to him two cardinals and four other delegates, who presented to him a form of abdication which had been approved in the sixth session, and required him to return to Constance or to some place in its vicinity. As he rejected every proposal, the process against him was commenced and concluded by his deposition. After frequent and fruitless citations, and after the evidence against him had been heard, he was pronounced guilty of the most disgraceful crimes,—of immorality, simony, and infidelity: of seventy points of accusation, fifty-four were read, when the heavy guilt and the utter worthlessness of the man were made so evident, that no one dared again to raise a voice in his favour. The cardinals by whom he had been elected were covered with shame by these disclosures. At the desire of the council, the margrave, Frederic of Brandenburg, seized his person and conducted him from Freyburg to Ratolfszell, near Constance, where he was guarded as a prisoner. He now declared that he subjected himself unconditionally to the council: he implored the intercession of Sigismund, and requested only that his honour and his person might be spared. In the twelfth session, on the twenty-ninth of May, he was declared deposed, as a notorious simonist, who, by

his incorrigible wickedness, had scandalized all Christendom, which was now freed from the oath of fidelity which it had sworn to him. It was, at the same time, decreed that he should be retained as a prisoner, so long as the council might deem such a precaution expedient for the welfare of the Church. Cossa submitted without opposition. He was confined, first in the castle of Gottleben, whence he was removed to Heidelberg, and finally to Mannheim. In 1419, he purchased his freedom, and was named by Martin V, at whose feet he cast himself in supplication, cardinal bishop of Frascati. He died soon after at Florence.

And now the aged Gregory XII redeemed his long-plighted word. Charles Malatesta of Rimini appeared as his plenipotentiary at Constance, and declared to the king that he had been sent to him, not to the council, which Gregory did not recognise. In the fourteenth session, over which Sigismund at first presided,—as Gregory refused to abdicate under the presidency of a cardinal of another obedience,—a bull from Gregory was read, by which he first convoked the council, that he might afterwards acknowledge its authority. The cardinals of the two obediences were declared united: the censures which had been pronounced on either side were removed, and the cardinals, who had been created by Gregory, were received into the college. Malatesta, when the cardinal of Viviers had resumed the presidency, then read the act of resignation. Gregory confirmed all that had been done, and, in a letter written some time later to the synod, he styled himself the cardinal bishop Angelus. He died in October 1417. It now remained to induce the aged De Luna to proffer his resignation. To effect this, Sigismund proposed to proceed with fourteen delegates from the council, to hold at Nice the previously arranged interview. After repeated subterfuges of De Luna, the meeting was effected at Perpignan, where De Luna made such extravagant demands, that the king and the prelates retired to Narbonne, and were on the point of breaking off the negotiations. The Spaniards then declared to De Luna

that they would withdraw from his obedience, unless he would immediately resign. At Narbonne a treaty was formed by the kings of Spain and the Counts of Foix and Armagnac on the one side, and Sigismund and the delegates on the other, which laid the foundation of the general reunion of the Church. The king of Aragon first renounced his obedience to his pontiff, and the famed and universally venerated St. Vincent Ferrer, (who had long been an adherent of De Luna, but who, having discovered that he had been deceived by the ambitious old man, had declared him a perjurer), made this resolve of the king known to the public, in January 1416. The countship of Foix, the kingdoms of Navarre, Scotland, and Castile, joined themselves in succession with the council, so that finally, the entire Christendom of the west (with the exception of the countship of Armagnac), was united at the synod. In the mean time, the process against De Luna had commenced. To two Benedictines who had been sent to him, he declared that the council was an assembly of schismatics and of men who had been excommunicated; that the entire Church was at Peniscola,* as formerly the entire human race was with Noah in the ark. In the thirty-seventh session, on the twenty-sixth of July, he was, therefore, deposed as a perjurer, schismatic, and heretic, who had done as much as in him lay to falsify the article of the creed on the Catholicity of the Church.

Thus had the council accomplished its first, its most important object: there now remained, as the principal subjects of its consideration, the election of a new pontiff, and the correction of ecclesiastical abuses. For the execution of the latter, a number of commissioners was appointed, the same who had been named examinators in matters of faith. Circumstantial memorials, which detailed the condition and wants of the Church, were submitted to them, and not a month passed in which conferences on the prevailing corruptions were not held. In these conferences severe things were

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* A small fortified town in the eastern coast of Spain, into which De Luna had retired.

said which affected some of the members of the council. All were agreed that simony, the purchase and sale of benefices, a plurality of benefices in one person, the non-residence of prelates, a prodigality in the grant of dispensations, ignorance, immorality, and a worldly spirit, were evils which prevailed amongst ecclesiastics. The bishops, it was said, were given to gambling: they squandered the revenue of their churches in maintaining buffoons, horses, and hounds: they oppressed their vassals; they ordained more than a requisite number of clerics; they were always prepared to institute processes on the most trifling causes; they sought, from motives of avarice and ambition, to pass from one Church to another; they passed their time at the courts of princes, and engaged in worldly occupations. Priests possessed many benefices: in the administration of the sacraments, they were influenced by a spirit of sordid lucre; they engaged themselves in commerce and in other pursuits unworthy of their state; they publicly dwelt in the same habitations with females; they were addicted to gambling and to the chase, were litigious and usurious. The court of Rome, which required a searching reform, must be compelled to lighten the burdens which it placed upon other churches, particularly its frequent demands for money; to diminish its frequent excommunications and the too great number of laws and exemptions, which were destructive of episcopal authority. The more zealous and prudent of those present, men such as the cardinal D'Ailly and Gerson, proposed the frequent calling of synods, and a careful selection of candidates for holy orders, as the chief hopes for better times.

And now, whilst every member of the synod spoke of this reform, and whilst all acknowledged its necessity, there arose a controversy on the question, whether they should directly commence with it, or whether they should previously proceed to the election of a new pontiff. Sigismund, and with him, the German and English nations, proposed the former: the cardinals, and with them, the French, Spanish, and Italian

nations, insisted on the election of a pontiff, as the reunion of the Church was the chief object of the synod, and could not be accomplished as long as the Church was without a head. D'Ailly, Gerson, and others of the same disposition, expressed their conviction that the Church would not be reformed in its head and members by the promulgation of a series of decrees, to which, those whom they might effect, would offer opposition, under the specious pretext that they had been formed by a council over which no head had presided. The French had already complained, that Sigismund had endeavoured to intrude his influence upon the council, and to straiten the freedom of deliberation. The king, therefore, ordered that public prayers should be offered to invoke the Divine assistance, for those who should have to elect the new pontiff, and appointed the town-hall of Constance for the meeting of the conclave. As he, in this manner appeared to acknowledge the necessity of an election, the united nations, who were now strengthened by the accession of the English, adhered more firmly to their views.

They represented that another schism would be the necessary consequence, should the council separate before an election, that the fathers were now weary of their long abode at Constance, and that many churches, which were threatened with war, or already desolated by it, earnestly called for the return of their pastors. The Germans, on the other side, affirmed that the most effectual preventative against future schism was a reform of the Roman court. For the last century and a half, they said, the popes had departed from the paths of their predecessors, who had governed the Church with prudence, with wisdom, and with a respect for the rights of others: the members of their courts sought only wealth, and for this purpose usurped the rights of other Churches. This was proved by the number of their reservations, of their grants of benefices and commendams, by their annates and spoils, by their reservation of so many causes of civil and ecclesiastical jurisdiction, by the absolution from censures and indulgences, which

were granted for money. From these sources, and from the discontinuance of synods, sprung the degeneracy and corruption of the clergy, simony, and the fall of so many churches and monasteries. The example of the Pisan synod, in which a reform was promised on oath, and had not been effected, should act as a warning, and proved the necessity of preparing, by a wholesome correction of the courts, the way for the zeal of a just and virtuous pope, who would then reform the other clergy. It was wonderful indeed to behold the reforming ardour of the Germans, directing itself principally against benefices and the abuses which accompanied the administration of them. Sigismund and the German prelates required that the grant of benefices should be conceded to the bishops: a German university, the university of Cologne, instructed its deputies to plead, on the contrary, that this should be reserved to the pope, as the bishops were too dependent on the recommendations of the powerful, and too often placed benefices in the hands of those who were unworthy of them.

During the months of July and August, 1417, the excitement caused by this question of priority arose to such a height, that each party cast upon the other the bitterest objections, in which abuse and outrage sometimes formed too great a share, and Sigismund once went so far in his intentions, as to design to seize and guard the cardinals, to prevent them from proceeding to an election. In the thirty-ninth session, on the 9th of October, several decrees of reform were passed. The first regarded the convening of general councils: the first of these councils was to meet five years after the close of the synod of Constance; the second, seven years later; after which a similar council should meet every ten years. The second decree provided measures for the prevention of schisms; the third obliged the popes to make a profession of faith after their election—a practice which had been interrupted since the time of Clement V. The translations of bishops from one church to another were restricted: two reservations were removed—the one of the spoils of deceased prelates and of

other ecclesiastics, and the other of procurations, which were paid to bishops at the time of their visitations. At length the respected bishop of Winchester, the uncle of the king of England (Henry V), who had then arrived on a pilgrimage at Constance, effected a peace. In the fortieth session it was resolved that the future pope, in conjunction with the council, or with a number of deputies, who should be chosen from the nations, should reform the Church in its head and members, according to equity and good government; and that after the election of the deputies, the prelates, and the other members of the council, should, with the permission of the pope, return to their homes. The reform was to regard the number, the nation, and the qualifications of the cardinals, the annates, the expectatives, the confirmation of elections, the causes which should be reserved for the judgment of the courts, the appeals to the papal see, the duties of the Roman chancery and penitentiary, the exemptions and unions which had occurred during the schism, the commends, the employment of the revenues of vacant churches, the cases in which a pope could be rejected or deposed, the extinction of simony, dispensations, remission of tithes, and the maintenance of the pontiff and of his court.

In the conclave, which consisted of twenty-three cardinals, and in virtue of a proposition made by the cardinals themselves, of thirty deputies, six from each nation,* after a consultation of three days, the universally venerated cardinal Ottone Colonna was unanimously elected.† He was a native of Rome and had been

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* The deputies of the English nation were the bishops of London, Norwich, Lichfield, and Bath, the dean of York, and the abbot of St. Mary's of York.—(*Transl.*)

† "So great was the joy occasioned by this election," says Platina, "that men could scarcely speak. The emperor, overcome with joy, and forgetful of his high rank, entered the conclave, and presented his thanks to all those who had elected so great a man, who was necessary indeed for the redemption of the Christian commonwealth, which had become well nigh extinct. Prostrating himself before the pontiff, he, with the greatest veneration, kissed his feet, whom the pope embracing revered him as a brother, and thanked him, that now

created cardinal by Innocent VII. Before the synod of Pisa he had forsaken the party of Gregory XII. He was now ordained deacon and priest, and on the 21st of November consecrated and crowned. He took the name of Martin V. The intelligence of his election was hailed at Constance, and through the whole Church, with the most sincere joy. Only the French court, in which the count Armagnac was all-powerful, refused to recognize him. In the castle of Peniscola, the obstinate De Luna had still around him a small circle of followers, many of whom, however, to his great annoyance, endeavoured to induce him to resign.

Martin, in unison with the presidents of the nations, immediately formed a tribunal of reform, which was composed of six cardinals and deputies of each nation. But the Germans and Spaniards soon began to complain of the tediousness and inactivity of these commissioners. Both nations presented a catalogue of the reforms which they desired. The memorials (*avisamenta*) of the Germans were drawn up with becoming moderation: no papal right was assailed; only means were proposed, by which the abuses and disorders, which had arisen from the former exercise of these rights, might be remedied. The French besought Sigismund to exert himself with the pontiff to accelerate the work of reformation, but they were deterred by being reminded, that when Sigismund had, on a former occasion, wished the decrees of reform to precede the election of a pope, they had opposed him. The pope, in fact, found himself in a position of difficulty, assailed as he was by so many conflicting demands, which mutually destroyed each other, but which were maintained by their authors with a tenacity that seemed to defy every attempt to confine them within the bounds of moderation. At his first public audience, given by Martin, the concourse of those who sought for favours and grants was so great, that each

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at length, by his labour and zeal, peace had been restored to the Church."—([illegible].)

cardinal, on his way to the audience-chamber, found himself surrounded by four or five hundred persons, endeavouring to secure his intercession.

In January 1418, the pontiff proposed his plan of reform. Adhering to the articles presented by the German nation, his plan was in substance the following. The number of cardinals was confined to twenty-four: of reservations, only those contained in the common law and such as had been introduced by Benedict XII, should be continued: the annates should be reduced to a moderate tax, payable in two sums: all exemptions and unions of benefices, which had taken place during the long schism, were annulled: greater cloisters, dignities of chapters and of parishes, were no more to be given in commendam: the revenues of vacant churches were to be received by those churches: simony, the possession of many benefices, which could not be united, the alienation of ecclesiastical property, and the non-residence of bishops, were prohibited: tithes were not to be imposed on the clergy, except in particular cases, which affected the whole Church, and then, with the consent of the bishops. To the demand that the cases should be defined in which a pope might be rejected or deposed, Martin replied, that even in the opinion of the majority of the nations, it was advisable to propound nothing new on this question—that the only cases were those of heresy and schism. He desired that the nations should sanction his plan, and that an unanimous decision should be given, which might afterwards be solemnly confirmed by the council. On account of the disunion of the nations, and of the varying natures of the relations of their Churches, the Pope delayed his designs for two months, that he might enter with them into a concordat on different points. Of these concordats only those which were formed with the German, French, and English, have been preserved. That with the Germans, which was to be in force only five years, corresponded, in general, with the requisitions made by the nation in reference to the freedom of canonical elections, to annates, ap-

peals, and dispensations. Of almost similar contents was the concordat with the English, and also that with the French Church, only that in this the annates werereduced, for five years, on account of the existing wars, to one-half. Some points, upon which a general understanding had been expressed, were proclaimed in the forty-third session, in the form of a papal decree. These were the removal of new exemptions, the renunciation made by the pope of the revenues of vacant churches, of the prohibition of simony in ordinations, elections and grants of conferences, the obligation of ordination required by benefices, the freedom of churches and of ecclesiastics from papal tithes, and the ordinance, that all ecclesiastics should dress as became their state. At an earlier period, on the 26th of February, the pope had published the rules that were to be observed in his chancery. The delegates of the Poles had required that the book written by the Prussian Dominican, John of Falkenberg, in favour of the Teutonic Knights, and which contained things highly offensive to the king and nobility of Poland, should be publicly condemned. As the pope appeared not inclined to proceed to this condemnation, the delegates resolved to appeal to the next general council. But Martin, who well knew that such appeals, if frequently repeated, would prove destructive of all authority and order in the Church, and that by them an opportunity was presented to all, to rebel against the head of the Church, took advantage of this occasion to decree, in a bull, dated the 10th of March, that no appeal against the supreme judge, the apostolic see, should be allowed, and that no one should dare to reject its decision in matters of faith. Gerson opposed himself to this, in a memorial, wherein he endeavoured to prove that the authority of Martin rested only on the supreme authority of the council, which had been exercised in the deposition of Cossa. He acknowledged, however, that it was not permitted in general, and in any case, to appeal from the pope to a council.

In the forty-fourth session, the pope named the city of Pavia as the place of the next synod. In the follow-

ing and last session, on the 22d of April 1418, he confirmed those decrees which had been passed at Constance on matters of faith and according to the due form of councils (*conciliariter*), with the addition, that all that had been done in any other form—all that had been discussed and decreed in particular congregations, or on subjects of ecclesiastical polity—was not included in this approbation. The pontiff then declared the council to be closed. Sigismund, thanking all the members for their co-operation in the extinction of the schism, took his departure, solemnly assuring the pope and the Roman Church, in defence of which he was prepared to shed the last drop of his blood, of his fidelity and obedience. To compensate him for the great expense, which he had incurred in the service of the Church, Martin had granted him the tithes of many of the German churches, which was, indeed, contrary to the recent decree of the pope, and the cause, therefore, of strong reclamations. When preparing for his departure, the French prelates requested Martin to place his see again at Avignon; Sigismund recommended a German city, Basel, Strasburg, or Mentz. But Martin went into Italy, where the disturbed condition of the states of the Church called for all his energy. Rome and Beneventum were in the possession of the Neapolitans: Bologna was, as a republic, independent: the other parts were in the power of particular families. But the pope, by degrees, partly by force of arms, partly by negotiations and treaties, reduced his entire states to his authority.

SECTION V.

SYNOD OF SIENA.—EUGENE IV.—SYNOD OF BASIL.—DISPUTE OF THE SYNOD WITH THE POPE.—PEACE.*

According to his promise, given at Constance, Martin V convoked, in 1423, a general council at Pavia, and named four prelates, who were to open the council and to preside in his name. But after long delays, there appeared only a few English bishops, only the bishop of Posen from Germany, and the bishop of Amiens from France and five delegates: from Italy there were present only the papal plenipotentiaries. A contagious disease caused the transfer of the synod to Siena. Here, when a considerable number of prelates had assembled, the first session was opened on the 22nd of August. The errors of Wycliffe and of Huss were again condemned, and a project for the union of the Greek and Latin Churches was proposed. In the mean time, Alphonsus king of Aragon, embittered against the pontiff, who refused to acknowledge his pretensions to the crown of Naples, exerted every means in his power to light again into a flame the still smouldering embers of schism. He endeavoured by his agent to win over the prelates assembled at Siena to the cause of De Luna, who still asserted his rights at Peniscola. Anathema was now pronounced against the small party of the antipope: but still was Martin troubled. Disputes had arisen amongst the fathers at Siena: they alleged as pretexts, the danger of the disease, the vicinity of the war, and the inutility of proceeding to the discussion of important objects in the

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* Acta Concilii Senensis, in Harduin viii. 1013-1028; Acta Concilii Basiliensis, ibid. viii. 1087-1852, and in Mansi, Supplement. Conciliorum, tom. iv. v.; Æneæ Sylvii de Picolominibus (afterwards Pius II) De rebus Basileæ gestis, stante vel dissoluto Concilio, Commentarius, ed. Mich. Catalanus, Firmi 1803; Ambrosii Traversari Epistolæ, ed. Laur. Mehus, Florentiæ, 1759, fol.

present weakness of the council and in the absence of the pope. Many of the prelates had already gone from the council; the pontiff, therefore, declared it to be dissolved. The deputies of the nations had previously named Basil as the place of the future synod, and as many of the bishops insisted on the continuance of the present council, the papal legates and the presidents of the nations declared that the council was to be, rather than dissolved, transferred to Basil. The pope confirmed the election of Basil; and that the amelioration of the universal Church and of the Roman court might be duly considered, he named two cardinals, who should receive and examine all memorials and proposals relating to these subjects. De Luna died in November 1424; but that the schism might not die with him, he created on the last day of his life, four cardinals; three of this number, with the consent of the king of Aragon, elected as antipope, Egidius Munoz, a canon of Barcelona, who took the title of Clement VIII: but the fourth, John Carriere, who was then in France, protested against this election, and confident of the protection of the count of Armagnac, named a pope for himself, who assumed the name of Benedict XIV. This farce was for a time kept secret. Carriere first made it public in 1429; but his creature, who could not attach to himself a single adherent, disappeared at once and for ever from the page of history. In the same year terminated also the schism of Peniscola. Through the exertions of the cardinal de Foix, a reconciliation was effected between the king of Aragon and the pope: Munoz resigned and received the bishopric of Majorca: his cardinals laid aside their assumed dignity, and finally, the most persevering promoter of the schism, the count of Armagnac, was persuaded to acknowledge the lawful pope.

After the death of Martin, the Venetian, Gabriel Condulmerio, a nephew of Gregory XII, was elected by the cardinals at Rome, in March 1431. As Martin had inordinately favoured and enriched his relatives, the Colonnas, the cardinals formed in the conclave a num-

ber of articles, which the elected pontiff was to observe as a kind of election capitulation. The new pope, Eugene IV, published these articles in a bull. According to them, the pope bound himself to reform the Roman court, and not to remove it without the consent of a majority of the cardinals: he was to convene the general council for the amelioration of the state of the Church; to observe in the nomination of cardinals the ordinances framed at Constance; not to proceed against the person or possessions of a cardinal without the concurrence of a majority of the sacred college, and not to invade their right of disposing by will of their property. The vassals and officials of the states of the Church were to swear fealty, not only to the pope, but also to the college of cardinals; to this should belong the half of the revenues of the Roman Church, and without the consent of the sacred college, no act of government materially affecting the state should be undertaken.

As soon as Eugene had humbled the haughty Colonnas, who had taken up arms against him in Rome, he turned his attention to the approaching synod. Martin V had appointed the spring of the year 1481 for the opening of the council, and had named the cardinal Julian Cesarini, his legate, to preside in his name. Eugene confirmed this, but the war of the Hussites in Germany, the English war in France, and the troubled state of Italy and Spain, prevented the prelates from proceeding to Basil. The legate himself was still engaged with the war against the Hussites, and he therefore directed two plenipotentiaries, the doctor John Polemar and the Dominican John of Ragusa, to open the synod on the 23rd day of July. With the abbot of Vezalai, there were present only the clergy of Basil and four deputies of the university of Paris, or rather of the remnant of that great school which existed at Paris under the influence of the English. In September, Julian arrived at Basil, when he found only three bishops and seven abbots. He therefore addressed earnest letters of invitation to princes and prelates, exhorting them to hasten to Basil. The canon of Besançon, John Beaupère, re-

lated at Rome, whither he had been sent by Julian and the fathers of the synod, that the council was attended by few, that the clergy of Germany was in a state to be deplored, that the heresy of the Hussites was making rapid advances in many parts of the empire, that even the inhabitants of Basil showed contempt for the ecclesiastics, and as a war was daily expected to break out between the dukes of Austria and Burgundy, Basil was no longer a place of safety for the council. At this time advances towards a union with the Western Church were made by the Greeks: but they desired that the council which was to be convened on this subject, should meet in Italy. Two œcumenical councils could not be held at the same time. The pope, therefore, saw reason sufficient to induce him to close the council of Basil, the favourable period for which appeared not yet to have arrived. On the 12th of November he published a bull, which was subscribed by the ten cardinals, who were then at Rome, in which he commanded the legate to terminate the proceedings of the synod and to announce that another council would be opened, after eighteen months, at Bologna. Soon after, Eugene was informed that the legate had invited the Hussites to a new discussion at Basil, in which they might with full freedom state the grounds of their opinions. This was interpreted in Rome, as if questions, which had been already decided by the Church, could again be made the subject of discussion, and it was considered improper to recommence dogmatical transactions with a sect which had been subjected to censures, and to subdue which, even arms had been employed. By a new bull, dated on the 18th of December, the pope declared the council to be dissolved on account also of this last proceeding. He, at the same time, published letters of convocation and of invitation to the council which was to be opened at Bologna.

Whether it were that the bull of the 12th of November had not yet arrived at Basil, or that the members of the council at once opposed it, the synod, which even now could number hardly twelve prelates, held on the

14th of December their first session. In the preliminary congregations the order and progress of the discussions had been arranged. All the members were to be divided into four nations, the Italian, French, German, and Spanish; from these representatives of the nations, assemblies or deputations were to be formed of equal numbers, and to consist of prelates and doctors; each deputation was to hold its own meetings, with its president, promoter, and other officers. A committee of twelve persons was also formed, to which was submitted the decision, whether any subject proposed were to be retained for discussion or to be rejected. When a subject had been decided by a majority of voices in one deputation, it was forwarded to another for deliberation, after which, the president of the whole council proposed the same question in the general assemblies which were held every week. If it were there received, it was formed into a decree, which was to be solemnly announced in the next session. This form could, however, be observed only when greater numbers should have arrived at the council. In the first session, the object of the council was declared to be, the extirpation of heresy and of the Greek schism, the firm establishment of faith and of peace among Christian princes, the reform of the Church in its head and members, and the revival of the ancient discipline.

When, in January 1432, the Bishop of Parenzo arrived at Basil with the last papal bull, the cardinal Julian immediately resigned his office, but, in a powerful letter to the pope, he detailed the reasons why it was necessary that the council should be then continued, and at Basil. There were, he said, great hopes of now reconciling the hitherto obstinate Bohemians; but, were a delay not granted, they and many others would imagine, that the orthodox Catholics feared to enter into an examination of the subjects in dispute: should the synod be interrupted, having done nothing in the cause of reformation, it would be said also, and the report would be easily circulated, that the clergy had become incorrigible, as the German ecclesiastics had

drawn odium upon themselves by their degeneracy and immorality, and as it was not improbable that entire provinces of Germany would unite with the Bohemians. Finally, the hopes, which had been entertained by the council, that peace would be restored between England and France, between Poland, Lithuania, and the Teutonic order, would necessarily be destroyed. It is remarkable, that in this letter, the cardinal, without indeed naming Beaupère, declares all the circumstances which had been narrated by that ambassador at Rome, as obstacles to the council, to have been untrue; that in the third session this man was spoken of with praise, and that the pope, deceived by false and unfavourable reports, had issued the bull which dissolved the council. It appears that the council wished to spare Beaupère, and not to accuse him directly of falsehood, or that he had designed to deceive the pope, the cardinals, and the council.

The small party at Basil, encouraged by Sigismund, resolved to continue the council. They proposed an appeal "to the pope, better informed," and to the synod itself. The bishop of Lausanne and the dean of Utrecht were sent to Rome, to obtain the revocation of the two bulls, and in its circular, the assembly, which in numbers was hardly sufficient for a provincial synod, gave itself the high title of an œcumenical council, lawfully convened in the Holy Ghost. On the 15th of February, the second session was held, under the bishop of Contance, although in the rescript of convocation it was stated, that the synod should not be opened before a sufficient number of prelates had arrived. Only fourteen, partly bishops and partly abbots, had yet assembled. To protect themselves against the pope, they hastened to renew the decree of Constance, which declared the authority of a general council superior to all other, even that of the pope. It was then resolved, that without its own consent, this council should be dissolved, transferred, or interrupted by no authority; that its members should not be required to attend at any other place, not even at the Roman court; and that

no one should depart without a cause approved by the council. All censures and measures of compulsion, that might be employed for the dissolution of the council, were declared null. At the same time, the French bishops, who had assembled at Bourges, represented to the king the necessity of the council of Basil, arising from the danger that was threatened from the Hussites: they therefore besought him to give his influence to this council, to send an embassy to the pope, and to facilitate the journey of the bishops. The archbishop of Lyons, Amadeus of Talaru, who was appointed ambassador to Rome, recommended to those assembled at Basil, prudence and respect in their negotiations with Eugene, who, as head of the Church, and as a man of irreproachable life, merited every consideration. On the other hand, the doctors of the still surviving part of the Parisian university, wrote to Basil in terms of haughtiness, and of unmeasured arrogance. The wicked intention of interrupting the council was, they said, a suggestion of the devil, and if the pope persisted therein, it was their duty to resist him to the face, as Paul had done to Peter.*

Encouraged by the approbation and by the promises of Sigismund, of the German princes, of the dukes of Milan, Savoy, Burgundy, and Bedford, and of many bishops, the prelates of Basil continued their undertaking, and decreed in their third session, on the 29th of April, that the pope should be required to attend at Basil, within three months, either in person or by his ambassadors, to take part in the council. A similar re-

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* How differently and how beautifully does an old French author, Olivier de la Marche, write of Eugene:—"Car à toucher à la fame et au renom de si sainte et haute personne en Chrestienté, comme nostre saint père le pape, l'entendement se doit arrester de frayeur, et la plume pleyer par doute dangereux et plain de peril d'encourir, ou d'encheoir au danger d' inobedience et de faute, à l'encontre des commandemens et ordonnances de nostre saincte et salutaire mère et ressource, l'Eglise triomphante, et supplie à celuy qui est garde de tous bons et Catholiques, courages qu'il me deffende et garde en ceste partie de toucher ou mettre chose qui soit contre l'estat de ma conscience."—Apud Digby "Tancredus," page 120. (*Transl.*)

quisition was sent to all the cardinals, accompanied with the notification, that in case of refusal, canonical proceedings would be commenced against them and against the pope. The decree of the synod of Constance on the superiority of councils was again repeated, for it was imagined that under this shield, any act of aggression or of usurpation might be guarded. Eugene paid no regard to the representations of Sigismund, who had asserted that the pope could not insist upon his sentence of the dissolution: the king, therefore, rejected the plan of the pope, who had proposed that particular synods should be held in Germany, for the extirpation of the Hussite heresy and the reform of the clergy. He encouraged the council of Basil to persevere, and sent a procurator to Rome, who affixed the citation of the pope and cardinals on the gates of St. Peter's church. Nor were they in the meantime inactive at Basil. In the fourth session it was resolved, that in the event of a vacancy of the see of Rome, the election of the pontiff should take place at Basil; that during that council, Eugene should create no new cardinals, and should not prevent the officers of his court from attending the council; they imagined also that they were authorised to name a governor of the countship of Venaissin: but the cardinal Alphonsus Carillo, who was appointed by the council, was expelled by the legate, the cardinal De Foix, who had been sent thither by the pope. With these feelings of hostility, it can surprise us but little, that those assembled at Basil, should imprison, contrary indeed to all the rights of nations, the papal ambassador, John Ceparelli di Prato. It was necessary, therefore, that the new embassy, which comprised the archbishops of Colocza and Otranto and an auditor, should be provided with a letter of safe conduct. Sigismund had, in the meanwhile, made known to the assembly, his wish that they should endeavour to accommodate affairs with the pope, and not be the cause of a new schism in the Church. The nuncios were therefore admitted to an audience at Basil, on the 22d of August. The archbishop of Otranto recited to the council the

reasons which had induced the pontiff to dissolve, or, rather, to transfer the council—his ill-health, the small number of prelates who had met at Basil, the proposal that had been offered to the Hussites, the reunion of the Greeks with the western Church, to whom Bologna was more convenient than Basil. In the name of Eugene he offered them any city of the ecclesiastical states, the sovereignty of which the pope would resign during the continuance of the council, and proffered to them the choice of time. But in vain. In the sixth session, on the 6th of September, the two promoters of the synod declared, that the pope and the cardinals should be pronounced obstinate. The nuncios obtained permission to depart.

Two cardinals, Branca Castiglione and Capranica, who on account of their personal hostility to the pope, had adhered to the council, contributed much to heighten the bitterness against Eugene. According to the narration of Æneas Sylvius, who was then at Basil in the retinue of Capranica, these cardinals and other officers of the Roman court, who continued to arrive at Basil, gave the most prejudicial accounts of the pope, whilst the doctors of Paris, Cologne, and of other universities, extolled to the heavens the power and superiority of the council. He who spoke the most boldly, flattered the most the taste of the multitude. The cardinal Julian now resumed the presidency. In the eighth session, a delay of sixty days was granted to the pope, wherein to recal his bull of dissolution: after twenty days, all the cardinals and officers of his court were commanded to leave him, and no one, not even the pope or the king, should dare to recognize any other council, as two œcumenical councils could not exist at one and the same time.

The greater number of prelates—which by the 19th of February, 1433, had amounted to forty-six—who were now assembled at Basil, the unceasing exhortations of Sigismund, the favour and support which the council found in the greater part of the European courts, the probability that the council would effect the

conversion of the Hussites, and finally, the fear of appearing to be the enemy of peace and of the reform of ecclesiastical abuses—all these circumstances combined to induce the pope to look more favourably towards Basil. He again named four nuncios, who were commissioned to propose terms of reconciliation to the council. Eugene still sought the transfer of the synod to an Italian city; should, however, a city in Germany be resolved upon, the greater questions, relative to ecclesiastical reform, should be discussed, only when at least seventy-two bishops were met in council. Yielding to the solicitations of Sigismund and of the electors, he published, on the 13th of February 1433, a bull, in which he recalled the decree of dissolution, the causes of which no longer existed, and provided that the council should continue at Basil, under the guidance of his legates, for the extirpation of the Hussite heresy, and the restoration of the peace of Europe. The four nuncios had, in the meantime, arrived at Basil with the earlier instructions of the pope; but proposals and requisitions were made, which seemed to render an accommodation difficult, if not impossible. The body of bishops, abbots, and doctors, wished to be considered even distinct from the Roman see, as forming an œcumenical council with all its prerogatives, although they had met long after the term for the opening of the council had expired, and although they had, by their first ambassador, requested the pope to issue a new letter of convocation. They required also, that the pope should subject himself to them, who possessed, they said, their power immediately from Christ, and should unconditionally recognize their assembly as a council, lawfully commenced and continued.

Whilst, therefore, Eugene conferred upon five legates, and the cardinal Cesarini, the presidency of the council, and promised to the fathers his support and favour; whilst Sigismund, who had now received, at Rome, the imperial crown from the hands of the pope, approved in full of his conduct towards the synod, the synod persevered in its judicial proceedings against the head of

the Church; it continued to issue its admonitions, its citations, and its canonical threats, and did all in its power to reduce the dignity of the supreme pontiff to a state of entire dependence. In its eleventh session, it was decreed that a pope, who should refuse to attend a general council either in person or by his representatives, should be threatened with suspension and deposition. It was also declared that such a council could be dissolved, transferred, or prorogued, only with its own consent. In the twelfth, the papal reservations were abolished, and free elections re-established in chapters and abbeys. In the following session, the suspension of Eugene was actually pronounced, but was deferred by the interposition of the duke of Bavaria, whom Sigismund had named sub-protector of the council. When the legates, who were the bearers of the bull of the 14th of February, arrived, they met with a reception which was decidedly hostile. The contents of their bull seemed to afford to the council only matter for condemnation. The prelates contradicted the statement therein contained, that the cardinal Julian had received his commission to open the council, only when a sufficient number of bishops had assembled,—a condition which is indeed necessarily implied in the convocation of a general council, and which was positively expressed in the papal letter to Julian: they complained that the pope had adduced the reasons given by Beaupère as the causes of the dissolution, by which he appeared to wish to weaken the answer of the council. But their greatest objection was drawn from the expression used in the bull, that the pope would send his legates to hold the council of Basil, as it would thence be concluded, that he would recognize only those acts of the council which should follow the arrival of the legates, and consider as invalid all that had preceded that period. Grounds of complaint were also found in the circumstance, that in this bull, Eugene made no mention of the reformation of the Church as an object of the council; and in another bull of the 1st of May, he had commissioned his legates

to labour with the council in the reform of the Church, in all its members. From this, it would appear, that the subject of reform was left to the will of the legates, and that the council was to have only a consulting voice. The reform of the head, as well as of the members, ought also to have been inserted.

On the 29th of July, Eugene published a bull, in which, by the declaration, that by sending his legates, he had not intended the formation of a new, but only the continuation of the existing council, he made a great concession to the fathers: he then declared that all decrees, directed against the dignity of the Roman see, and against his person, which had been, or might thereafter be, formed at Basil, were null and void. A spirit of greater concession was shown by him in a bull, dated three days later. In this he stated, that he was content that the synod should continue; that he now took part in it; that he would support it with all his authority, provided that his legates were admitted to preside over it, and that all that had been done against himself, the cardinals and his adherents, should be recalled. He commissioned his legates, the archbishop of Spalatro, the bishop of Cervia, and the abbot of Moniaco, to prepare the mutual revocations at Basil. Sigismund was so rejoiced and surprised at this mildness and condescension of the pontiff, that he declared that Eugene had done more than he could be expected to do, and that if the prelates at Basil should now persevere in their hostility, he would employ the most severe measures against them. Other princes declared also that the conduct of the council was censurable, and most prejudicial to the tranquillity and unity of the Church: the ambassadors of the king of England opposed themselves to the decree of the twelfth session, and Charles VII, king of France, wrote to the council, that from the decree, which threatened the head of the Church with suspension, scandal, trouble of conscience, and the disunion of the Christian states must be expected to flow, and that an unholy schism must be the consequence of such a proceeding. The German

electors, the dukes of Burgundy and Savoy, and the doge of Venice, did not dissemble their displeasure at the line of conduct followed at Basil.

Eugene was at this time placed in a situation of painful distress. The duke of Milan and many condottieri, under the pretext of protecting the cause of the council, attacked on all sides the States of the Church: they made themselves masters of entire provinces and of many fortresses: the Colonnas again rose up against him: many of the cardinals had abandoned him and gone over to his enemies: and lastly, to the grief which he experienced from the threats and lawless proceedings of the council of Basil; he now suffered an almost uninterrupted corporal malady. Straitened as he thus was, he yielded to the desire of the emperor, and in his bull, instead of those words so unacceptable to the council—"we will and are content," he inserted these others—"we decree and declare." At Basil, the favourite theme of conversation was the deprivation of the pope. They wished, as the prelates themselves said, to terrify future popes, by this warning example, from assailing the supreme, inviolable authority of a general council. But at length, listening to the united and strong representations of the emperor, who was still present, and of the ambassadors of other princes, the council gave indications of more peaceful sentiments. Amongst others, the duke of Burgundy notified to the plenipotentiaries of his dominions, from which there were the bishops of Rouen, Cambray, Coutances, Auxerre, and Chalons, to leave Basil unless the fathers should seriously endeavour to effect a reconciliation with the pope. Thus, by the mediation of an embassy, which the emperor, the king of France, and the duke of Burgundy, sent to Rome, peace was concluded at the close of the year 1433. Eugene recalled all that he had done against the council, even the bulls of the 29th of July and the 13th of September of the same year, in which he had condemned the proceedings against himself, and he now declared that the council had lawfully continued since its commencement. He

at the same time appointed the cardinals Orsini, Albergati, Fosco, and Peter de Foix, and if these should be prevented, the archbishop of Otranto, the bishop of Padua and the abbot of St. Justina at Padua, as presidents of the council. According to the narration of Augustinus Patricius, canon of Siena, who was then at Basil, the admission of the legates as presidents of the council, and the cancelling of all the acts which had been directed against the person and the dignity of the pope, were expressly included in the treaty of peace; but in the acts of the sixteenth session, in which the documents relating to the reconciliation were read, nothing of this nature is found,—an omission, the cause of which may perhaps be found in the new rupture with the pope, which closely followed.

SECTION VI.

CONTINUATION.—NEW RUPTURE WITH THE POPE.—FELIX V, ANTIPOPE.

THE reconciliation with the pope increased the number of prelates at Basil. In the seventeenth session, on the twenty-sixth of April 1434, nearly a hundred were present. One of the most influential of the body was the cardinal D'Allemand, archbishop of Arles, who, in his glowing zeal for the reform of the Church, had secretly left the papal court and entered the council, of which he was for a long time the oracle and chief. The feelings and prejudices of the assembled fathers had undergone no change: the new comers found in the deputations, into which they by degrees entered, their former views confirmed into a general and all-pervading system of thought, by which they were themselves imperceptibly seized and governed. If outwardly they had been reconciled to the pontiff, they had not yet resigned their intentions of humbling him, and of completing the triumph of the synodal, over the papal power, in the most complete and most evident form. This was shown in

their conduct towards the legates. Before they were admitted to a participation in the acts of the council, they were made to swear that they would keep their votes secret; that they would not leave Basil without the consent of the deputies of the nations; that they would maintain the decrees of the synod, and in particular those on the superiority of councils over the pope. They were permitted, however, to take this oath, as private persons, not as legates of the pope; and the cardinal Turrecremata,* who was present, remarks that, as legates they should have protested against the obligations which the council wished to impose upon them. The same, or a similar oath, was required from others, even from the ambassadors of princes, on which account the English court addressed a strong letter of remonstrance to the council. In the seventeenth session, the legates were declared to possess no compulsive authority, and to support the past regulations and order of the council was pronounced a duty. In the eighteenth session, at which only one of the legates, the cardinal Cesarini, was present, the decree of Constance on the superiority of councils was again, for the fourteenth or fifteenth time, repeated, probably with the intention of manifesting that this decree was not comprised amongst those against the pope which had been retracted.

The duke of Milan, and the condottieri Fortebraccio and Piccinino, in conjunction with the Colonnas, under pretence of acting in commission from the council of Basil, had, in the mean time, raised a sedition in Rome. Eugene was besieged in his own palace, and was at length compelled to flee in disguise. In June 1434, he arrived at Florence. He was there met by the ambassadors of Alphonsus, king of Aragon, who announced to him that, at Basil, preparations were made for his deposition. And, in fact, cardinal Capranica and his friends had there circulated the report that the election of Eugene had been invalid; for, although he had been nominated cardinal by Martin IV, he had never received

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* Respons. ad Basil. de Pontif. et Concil. authoritate, 1563, p. 58.

the cardinalitial hat and dignity, and had therefore been excluded from the conclave. The materials of a new rupture now began rapidly to develope themselves. The council commenced negotiations with the Greek emperor on the subject of a reunion of the Churches; and, although this could not but prejudice the effects of a long correspondence which had been held by Eugene on the same subject, he, with open confidence, imparted to the council the result of the steps that he had taken. It was now also resolved at Basil to abolish the annates and all other taxes which were received by the court of Rome, when it granted or confirmed benefices; the council menaced to visit all, who should oppose this measure, with the canonical punishments which were usually inflicted on those guilty of simony, and added, that if the pope should impede this decree, he should be summoned to appear before the synod. And this was enacted by a synod which, for its own maintenance, found itself necessitated to levy taxes on the clergy. In vain were many and powerful voices raised, in the congregations, against this decree, which would deprive the pontiff of the principal means of maintenance, and at the same time, being driven from his states, when he stood in the greatest need of them: in vain did the legate represent that it was unjust to form a decree so prejudicial to the Roman see, without first consulting that see; that, when the payment of annates was long before introduced, the whole body of the clergy had consented to that payment; that without it the pope would no longer be enabled to maintain his proper dignity, to send his legates, to protect oppressed prelates and princes, nor to oppose the attempts of heretics. They were commanded to withdraw their protest, under pain of expulsion from the council, and of incurring censures: two ambassadors notified to the pope the re-establishment of free elections, and the abolition of the annates. Eugene then sent Ambrose Traversari, the learned general of the Camaldolese order, and an auditor of the palace, as his legates, to Basil, and declared through them his rejection of the decree which abolished annates,

and his condemnation of the proposal of the council to obtain money, in the reunion of the Greek Church, by the sale of indulgences. The legates declared that this mode of raising money was directly opposed to the spirit of the Church; that it was most perilous, and calculated to cast odium upon the priesthood, even should the reunion not be effected. They, at the same time, defended the pope against the accusation, raised by the council, that he brought before his tribunal a number of causes against their decrees. There was greater subject of complaint, the legates contended, against the number of processes and controversies, great and small, general and particular, which the council had drawn before its own seat of judgment. For this accusation there was more than sufficient ground. The synod not only entered into all kinds of ecclesiastical controversies, decided disputed elections, and other subjects of contest, but, in its varied pretensions, it trespassed upon the authority of the emperor and the administration of justice. Thus, amongst other things, it entered into the quarrel of Eric, duke of Saxen-Lauenburg, with Frederic II of Saxony, respecting the contested dignity of elector. The emperor Sigismund expressed his displeasure on this subject, as well as on the dilatory proceedings of the council in the reform of the Church. It would seem that the fruitless controversy with the pope engrossed exclusively the whole time and attention of the council, as, during the long period of four years, scarcely a step was taken in the above subject, for which the synod had been principally convened. It was not before the sixteenth session that good laws were passed for the regular convocation of diocesan and provincial synods: in the twentieth and twenty-first, means were proposed to correct the incontinence of the clergy, and provisions made against the too frequent repetition of appeals and interdicts.

Traversari and his colleague left Basil in November 1435, without having obtained their object, and proceeded to Stuhlweissenburg, where they implored the emperor to stand by the apostolic see, and to defend the

church against a new schism. The Basilians published a pompous manifesto, in which they extolled the services which they had performed for the Church and for the nations of Europe; and invoked the assistance of princes against the pope, the chief enemy of reform, and the contemner of their high authority. Every opportunity by which they could display their power and their haughty disdain of the pope, was seized with joy. Thus, at the desire of the bishop of Grasse, who imagined that he had been injured by Eugene in his temporal authority at Antibes, they sent to the pope three deputies with a monitorium, and appointed a time within which he was to recall all that he had done against the authority of the council, particularly in the cause of this bishop, and against the universal reform of the Church in its head and members. Eugene had received appeals from the synod to the Roman see, and had thereby given cause for farther discontent. Such appeals could not, indeed, have been permitted from an œcumenical council, in which the pope took part, in his proper station as head of the Church; but, as the cardinal Turrecremata observed, in a memorial which he then presented, the pope was not present in his quality of head of the Church, either in person or by his legates: he was there only as another bishop; and, consequently, appeals might be made to him, in the same manner as appeals may be carried to a bishop from a chapter, in which the same bishop sits as a canon.

In the 23d session, on the 25th of March, 1436, the plan for the reformation of the head of the Church was proposed; the order of future conclaves was determined; the qualities of the person to be elected, the profession of faith and the oath which he should read, were specified: the pope was forbidden to raise his relatives to any office in the states of the Church, and reservations were abolished. Eugene, who now saw that a new rupture between him and the council was inevitable, sent his nuncios to the different courts of Europe with a distinct account of his relations with the council down to June 1436. The prelates of Basil had, he said, by

their arbitrary invasion of the authority of his legates, in fact deposed them; by their decree that their resolutions should be published against the will of his legates, and by another person, they had made themselves a headless body; by their false interpretation of the decree of Constance, they had subjected the pope to the correction of the synod, a proceeding which, in the Church, had hitherto been unknown. He farther complained of the abolition of the annates, which were now exacted by the agents and collectors of the council, for its own use; he rejected the new indulgences and decrees of the twenty-third session. He complained that the synod had burdened itself with a multitude of affairs and controversies foreign to its object; that it conferred benefices and commendams; that it granted dispensations in irregularities and in matrimonial cases; that it used its own seal; that it submitted to revision causes that had been before decided by the papal see; and that, in the liturgy, it had suppressed the prayer for the pope. Finally, he reverted to the source of all these errors, which was, that contrary to the ancient custom of councils, the prelates had granted a decisive voice to a crowd of private individuals. The council of Constance had, indeed, first acted thus when discussing a subject, upon which, as it immediately affected all (the schism), the council wished to obtain an unanimous decision; but at Basil, where a vain appeal was made to the example of the council of Constance, the most important and the most difficult subjects were treated in the deputations, which consisted chiefly of men of unknown character, and whose decisions were given with as much authority as the judgments of an œcumenical council. The nuncios were then directed to request the princes to withdraw their ambassadors, and to recall the bishops of their dominions from Basil, that a new council, animated with a better spirit, might be elsewhere convened.

The negotiations with the Greeks had in the meantime continued, and had so far progressed as that the cities were named in which the synod of reunion

should be held. At Basil, a city out of Italy was desired, probably that the pope might not be present in person. Avignon, or some place in Savoy, was proposed. But the Greek ambassador maintained that it should be a city convenient for the pontiff, and easily accessible by his own countrymen the Greeks. The papal legates named Florence and Udine, and of the same opinion were the cardinal Cesarini and the ambassadors of the princes, particularly the French. But the majority of the assembly obstinately opposed this nomination. This majority, which has, however, been greatly exaggerated, was, according to the account of Patricius, composed of the dregs of the council, of country ecclesiastics, and of persons of lower rank in the service of the prelates, who had been admitted into the congregations. At the head of this party was the cardinal D'Allemand, who, from this period was the soul of all the acts of the council. The cardinal Cesarini had passed over to the side of the pope. Hence it happened that, in the twenty-fifth session, on the 7th of May 1437, the difference of party views led to open contradiction and to a public division. The most influential of the prelates resolved with the legates, the cardinals Albergati, Cervantes, and Cesarini, that the congress with the Greeks should be held at Florence, Udine, or some other Italian city; that the tithes for defraying the expenses incurred by the journey of the Greeks should not be raised until after their arrival, that the council might not risk the accusation of deception, by obtaining money for a purpose which might never exist; finally, that the council of Basil would not be dissolved by this congress. But the majority decided, under the direction of the cardinal of Arles, that the council of the two Churches should be held at Basil, Avignon, or at some city of Savoy; that the tithe should be immediately collected; that a certain number of bishops should proceed to Constantinople, and that the Greeks should be conducted to one of the three proposed cities. As each party insisted that the seal of the council should be affixed to its decree, the cardinal

Cervantes, Nicholas Tedeschi, archbishop of Palermo, and the bishop of Burgos, were selected to terminate the contest. As to the fact on which of the decrees the seal was placed, we find contradictory accounts in the acts of the council published by Patricius, and the narration of Tedeschi. The pope confirmed the first-mentioned decree, which was presented to him by the bishops of Digne and Oporto, and Nicholas, the provost of Cusa. The Greek ambassadors declared that they recognised the council of Basil, only in those prelates who adhered to the papal legates, not in the opposing party, and in September, the three above-named delegates from Basil, with the papal legates, the bishop of Coron and the archbishop of Tarentaise, arrived with seven galleys at Constantinople. Soon after them came the ships which had been fitted out by the city of Avignon, bearing the four bishops of Lubeck, Parma, Viseu, and Lausanne, whom the majority at Basil had sent to the Greek emperor. These four prelates endeavoured to persuade the emperor to treat only with them and to decide for Basil or Avignon, as the place for the council. They assured him that, on his arrival in Italy, he would find the pope already deposed. But Palæologus and the patriarch, with their attendants, went on board the papal fleet, and landed, in February 1438, at Venice.

In the mean time the majority at Basil had cast off all semblance of moderation towards the pope, and shewed themselves disposed to proceed from a quarrel to a schism. In the twenty-sixth session, on the 31st of July, 1437, the pope and cardinals were summoned to appear within the period of sixty days. The accusations on which this citation was founded, were, that he had acted contrary to the decrees of the synod, on elections, reservations, and appeals; that he had incurred the guilt of simony; that he had prevented the reunion of the western and Greek Churches; that he had violated the oaths which he had solemnly taken at his election, and that he had since then abused his power. His accusers laid to his fault also the late

wars and commotions in the States of the Church; whilst the duke of Milan declared that they, the Basilians, were the cause of the war. They then annulled the late nomination of a cardinal. On the 11th of September, Eugene published a bull, by which the council, at the expected arrival of the Greeks, was transferred to Ferrara. Those at Basil did not hesitate to pronounce the pope contumacious, and his bull invalid: they announced to him a sentence which they had recently passed, and by which he was suspended for two months: finally they threatened him with formal deposition. The cardinal Julian Cesarini, as ambassador of the Basilian fathers, complimented the Greek emperor at Venice; but as all hope of reconciliation had now vanished, he went to Ferrara and attached himself to the pope and to the council there assembled. Of the cardinals, D'Allemand was the only one who remained at Basil; and in February, 1438, the fathers were reduced to the number of twenty-five bishops and seventeen abbots. The council of Ferrara, under the presidency of the pope, soon counted, without the Greeks, seventy, and after two months, one hundred and sixty, prelates.

But nothing intimidated by the evident diminution of their numbers, the fathers of Basil declared, in their thirty-first session, on the 24th of January 1438, that Eugene was now deprived of all spiritual and temporal power; they therefore called upon all kings, princes, and ecclesiastics, to withhold their obedience from him, as his authority had now passed over to the council. They at the same time renewed their former decrees, that all causes of dispute, except the *causæ majores*, and all controverted elections, should be decided in the places where they occurred, and that expectatives should cease. In the thirty-second session, every individual member of the council of Ferrara was cited to appear at Basil to answer for himself personally before the fathers. The council of Ferrara, on the other hand, suspended sentence of excommunication over all those who should still continue to take part in

the assemblies of Basil; it commanded all to leave that city within thirty days, and requested the magistrates of Basil to oblige them to depart after that time. Many princes, the duke of Bavaria, the kings of England and Castile, even the king of Aragon and the duke of Milan, who were at that time the personal enemies of the pope, disapproved of the acts of the council of Basil, which would inevitably lead to a schism. The king of France alone permitted himself to be so far gained by the representations of the ambassadors from Basil, who declared that all which had been undertaken in the cause of reform, would be frustrated by the transfer of the council to Ferrara, as to prohibit his bishops from proceeding to that city, and to request the pope to abstain from all acts against the council of Basil. But many French bishops from the dominions of the dukes of Burgundy and Anjou, and of the king of England, entered the council of Ferrara.

At the German elective diet at Frankfort, there arrived ambassadors from the pope and from the synod of Basil, each party endeavouring to gain the electors. The electors however declared that for the present they would remain neutral; and that should their attempts to reunite the pope and the council again prove fruitless, they would, after six months, together with the king, who was in the meantime to be elected, and with the advice of the bishops and learned men, decide for one party or the other. From these six months sprung as many years of deep misery to the Church of Germany. After the election of Albert of Austria, two ambassadors were sent,—one to Ferrara, the other to Basil,—to propose, in the former place, a suspension of the proceedings against the pope, in the latter, the nomination of another city for the congress with the Greeks. In two diets, at Nürnberg, in July and October 1438, nothing was concluded, although delegates from both parties were again present. The king and the electors, a second time, sent ambassadors to Basil, to obtain from those assembled there, the

translation of the council to a third place; for Eugene had consented, for the sake of peace, that the council should meet in a third—a German city. Strasburg, Constance, and Mentz, were proposed, and the German king exerted himself with the other princes, that the pope and the Greeks should select one of these cities. But at Basil, proposals of this kind could not be heard. Still in Germany, the assembly in that city was recognized as a legitimate council, by the appointment of Conrad of Weinsberg as its sub-protector. In France, a neutral course was adopted. An assembly of the French clergy at Bourges, at which delegates from Basil and from Eugene were heard, resolved that the king should offer his mediation to both parties, but that Eugene should continue to be acknowledged as sovereign pontiff. This act was followed by a royal edict, entitled the *Pragmatic Sanction*, by which all the decrees relative to reformation, passed by the council of Basil, were adopted, but with some modifications, and established with the force of law in France. The decree, which abolished all the Roman taxes for approbations, palliums, and the grant of benefices, had been modified in favour of Eugene: it was resolved that he should, during his life, receive the fifth part of the taxes which had been paid by France, before the council of Constance. To the universally and deeply-felt necessity of an amelioration of the state of the Church, to the reforming authority which the council gave to itself, and to the hope that from the decrees, either formed or expected, some improvement would result, must we ascribe the fact, that in Germany, as in France, men seemed to disregard the violent and anarchical proceedings of this assembly, as well as the dangerous tendency of its principles, by which all ecclesiastical order was essentially threatened.

In March 1439, another assembly met at Mentz, at which there were present the three ecclesiastical electors, delegates from the German king and different states, and ambassadors from the kings of France, Castile, and Portugal, and from the duke of Milan.

From Basil there came the patriarch of Aquileia, who assumed the title and rights of a *legat à latere:* the pope was represented by two distinguished men, John Turrecremata and Nicholas of Cusa. The latter was the ornament of Germany, and the most profound spirit of his age: he had, at first, embraced with an ardent zeal the cause of the council of Basil, and had written, in its defence, his work *Concordantia Catholica.* But when he saw that the measures of that council would degrade the authority of the supreme pontiff and endanger the unity of the Church, he resolved to pass over to Eugene and to the council of Ferrara. For his labours he was styled by Æneas Sylvius, the Hercules of those who defended the papal authority. Eloquently did Turrecremata, in an address to the synod, prove the perverse and contradictory nature of the assertion that the pope is head of the Church dispersed, but not of the Church assembled in council; that he is head of the represented, but not of the representatives; that a council represents the Church, without including in itself the head of the Church. But at Mentz, also, as in France, the reformation and decrees of Basil were adopted, but, as in France also, with several alterations: the states likewise renewed their protests against the suspension of the pope. It was again unanimously resolved to propose to the pope and to the Greeks, another German city for the meeting of the council. The Basilians answered, that the safety of the Church depended on the maintenance of the principle, that the council was superior to the pope, and that therefore proceedings against Eugene, who denied this superiority of councils and claimed it for himself, must be continued. They, however, promised, at length, to consent to the translation of the council, but only with this condition, that it should be preserved entire in its present position and constitution; and that the German princes should bind themselves to enforce its decrees, in the event that Eugene should refuse to submit to them. It is not necessary to say that this proposal was rejected.

Witnesses against the pope had, in the meantime, been heard at Basil; but as their evidence against his government of the Church and against his morals, did not present sufficient grounds for his deposition, eight articles,—declared to be articles of faith,—were drawn up, that the accusation of heresy might be brought against the pope. Their contents were, that the council was superior to the pope,—that without its own consent it could be neither dissolved nor transferred to another place; that every one who should act otherwise, was to be considered a heretic, and that Eugene had actually and obstinately acted against these articles. It was then vehemently contested, whether Eugene should be considered as a heretic, or, as the more violent party desired, as one who had relapsed (*relapsus*) into heresy. The principal speakers on this occasion were the cardinal of Arles, the archbishops of Palermo, Lyons, Milan, and Tours, the bishop of Burgos, the professors, John of Segovia, Thomas de Courcelles, Lewis Dupont, and the Dominican, Nicholas of Burgundy. Tedeschi, the archbishop of Palermo, and the bishop of Burgos, were at the head of the more moderate party, to which belonged the majority of the bishops. They denied that the article, on the superiority of the council over the pope, was of faith. Tedeschi, who was fully aware of the vehement desire of the crowd at the council,—of their impatience to hasten the condemnation and deposition of the head of the Church, declared before a general congregation, that it was disgraceful to endeavour to compel the council, the authority of which rested solely on the bishops, to yield to a body of inferior ecclesiastics,—that priests possessed only a deliberative voice,—that now for the first time the scandal was to be given to the world, that a point of faith was to be determined without, and even against, the authorityof the bishops. D'Allemand, who answered him, that the bishops had been withheld by their fear of the princes and the loss of their temporalties; that only the priests had shown firmness and perseverance, and had despised the anathemas of

Eugene,—publicly acknowledged that only few of the prelates were on his side, and that if only the bishops and cardinals had had a definitive voice in the council, their proceedings would have taken another turn. At the discussion on the eight articles, the confusion was extreme: all spoke,—all clamoured. It was in vain that Tedeschi warned the opposite party that they would become the fable of the whole world, if they should undertake to decide so important a subject as an article of faith with only three bishops on their side; that he and those who were with him, formed the majority of the bishops; that they were the council, not the swarm of copyists (*colluvies copistarum*) whom he saw in the other party. John of Segovia observed, on the other hand, that if the majority of episcopal votes were necessary for the validity of a conciliar decree, the greater part of their decrees must fall to the ground, as the majority of the bishops had voted against them. D'Allemand concluded by declaring that the first three articles were of faith.

In the congregation which preceded the thirty-third session, another storm arose. The archbishop of Tours, the ambassador of the king of France, and the bishop of Cuença, the ambassador of Castile, desired the more that their proceedings should now cease, as the delegates from the council of Mentz had arrived. Bitterly did the archbishop of Milan inveigh against the cardinal D'Allemand and his ecclesiastical demagogy. He, said the archbishop, was the author of all the present animosity; he had surrounded himself with a troop of copyists and schoolmasters, to make articles of faith; he was another Cataline, the refuge of all those who had nothing to hope and nothing to lose, and with whose assistance he pretended to govern the Church. But in spite of all his protestations, this prelate let the decree pass, which declared that Eugene, having contested the article of faith, which declared the superiority of councils, was a heretic. In the thirty-third session, on the 16th of May 1439, this decree was adopted. But from this session, all the ambassadors of princes,

and the majority of the bishops, remained away: only twenty prelates, and amongst these were neither Spanish nor English bishops, were present. In their place, there were four hundred clergy of the second order. The cardinal of Arles had caused all the sacred relics to be brought from the churches of Basil, and to be placed in the seats of the absent prelates.

In the thirty-fourth session this glorious work was crowned. Gabriel Condulmerio (Eugene) was deposed as a disobedient, obstinate rebel and violator of the canons, as the disturber of the unity of the Church, as a simonist, perjurer, schismatic, and heretic. Such was the presumption of an assembly, in which there were no more than seven or eight bishops, and, together with the abbots, only thirty-nine prelates; whilst, according to the common law, at least twelve bishops were required for the deprivation of a simple bishop. Even amongst the few who took part in this act, there were some who might have been rejected as judges by the ordinary principles of law. Such was Raymund, who called himself bishop of Tricarico, and who, when auditor of the palace, had been deposed by the pope. Such a perversion and abuse of natural order and of positive right had never before been witnessed in the Church. Immediately after this act, a pestilence burst forth in Basil, and carried before it many members of the synod. D'Allemand, who, when requested to retire from the city, declared that he would rather peril his life for the sake of the council, than the council for the sake of his life, resolved, in the thirty-fifth session, that the synod should continue its functions, notwithstanding the contagion; that within two months the new pope should be elected, and that any one who wished to join the council should be willingly received. But his acts did not meet with that acceptance which he and his followers had anticipated. In France, the states of Languedoc requested the king to defend the honour of the apostolic see, and not to permit that the Church should be rent asunder at Basil. Charles VII had, before the thirty-fourth session, expressed these

sentiments in a letter to the council, imploring it at the same time not to proceed to extremities. He now, by his ambassadors, twice assured the pope of his persevering obedience. The duke of Burgundy forbade, under severe penalties, the introduction of the decrees of Basil into his dominions. In Germany, these decrees were torn from the gates of many churches to which they had been affixed, and the diet, which had again assembled at Mentz, answered the deputies, who had arrived from Basil, that it appealed from their acts to the future general council, to the pontiff Eugene, and to the apostolic see.

The bull, in which Eugene, with the approbation of the council of Florence, condemned the three articles of the Basilians, and pronounced the censures of schism and heresy against all those who had taken part in the robber-synod, was afterwards declared at Basil to be heretical, although John of Segovia, one of the most determined abettors of the schism, made strong opposition. Preparations were now made for the election of a new pope. Three doctors were named as the chief electors: they associated to themselves a fourth, and then chose other twenty-eight electors. The conclave, therefore, consisted, with the cardinal of Arles, of thirty-three electors, of whom twelve were bishops, seven abbots, five doctors of theology, and nine canonists. It happened also that the majority of the electors, particularly of the bishops, were from the dominions of the duke of Savoy. D'Allemand exhorted the conclave to elect a rich and powerful man, for they now stood in need of forty thousand ducats, and of a man who would defend the council with energy and strength. By these words, he clearly marked out the man who was destined for the doubtful honour. This was Amadeus, duke of Savoy, who three years before had resigned the government to his son, and who now lived at Ripailles, on the lake of Geneva, with the knights whom he had collected into a body, and who were named the order of St. Maurice. It was advanced in his favour, that he was related to all the royal families

of Europe, and that he had one foot in Germany and the other in Italy. That he was an ignorant layman, was overlooked, in the peculiar circumstances of the synod, which was now rejected at many of the courts, and only nominally acknowledged by others, and which now required a man, in himself powerful and influential.

The duke accepted the election, and took the name of Felix V. He remained for some months at Thonon, and did not arrive at Basil before June 1440. He was crowned on the 24th of July. His obedience was confined within narrow limits. He was recognized only by Savoy, Switzerland, and Strasburg; by Albert, duke of Bavaria, at Munich; by Stephen, the count-palatine, at Simmern; by the grand-master of the Teutonic knights, in Prussia; by Albert, duke of Austria; by some of the cities of Lower Germany and by some universities. Others, such as the kings of Aragon and Poland, and the duke of Bretagne, who had joined themselves to the synod, rejected its antipope. Immediately after the election, the ambassadors of France protested against it. Since the council, they said, had undertaken to depose and to create popes, it was doubtful whether it sufficiently represented the entire Church, and their sovereign wished, therefore, to remain for the present in the obedience of Eugene. An assembly of the Gallican clergy was then held at Bourges, in August 1440, at which the king was present, and at which the ambassadors from the council and from Eugene were heard. The result of this council was the resolution to acknowledge Eugene alone as rightful pontiff, and to invite him to convene a general council in France for the extinction of the schism. The king, at the same time, announced to the prelates of the council, and to the dukes, that it were better for them to abstain from their censures, and to labour rather for the restoration of the peace of the Church. But, on the other hand, the two points which the nuncios of Eugene sought to gain were refused: these were the recognition of the

council of Florence, and the abolition of the Pragmatic Sanction.

Amadeus was the obedient instrument of those who had placed him at their head. When he wrote to them, he placed his name after that of the synod; and the synod, to show on every occasion its superiority, had approved, in the fortieth session, of his acceptance of the pontificate. The affair which now most pressed upon the synod was the procuring of money; and as, by its decrees, it had taken from the papal see its revenues from other Churches, the body, which had pronounced the annates to be an intolerable burden, was now compelled to oppress with a far more heavy impost the Churches which had subjected themselves to its authority. This was made necessary by their grant to their pope of the fifth part of the revenue of all benefices, for five years, and of a tenth for five years more. Only the churches of Savoy, indeed, submitted to this taxation. A new circular letter from the synod endeavoured to prove that all the faithful must acknowledge the supremacy of councils, and must, therefore, yield obedience to the decrees of Basil. Amadeus, at the same time, created a number of cardinals: he raised to this dignity several amongst the most distinguished of the French prelates, but failed in the object which he had thereby in view,—the favour and support of France. Eugene also nominated seventeen cardinals, calling around him the most celebrated men of all nations, amongst whom was the famed Turrecremata, who had, a short time before, opposed his extensive and acute work, the *Summa de Ecclesia*, to the writings of Nicholas Tedeschi in defence of the council of Basil.

In Germany a strict neutrality was still preserved. At a diet at Mentz, in February 1441, to which the new German king, Frederic III, sent his ambassadors, the delegates from the council of Basil were compelled to renounce the title of legate and cardinal, which had been given to them by Amadeus. Nicholas of Cusa spoke with his accustomed eloquence in defence of the rights of Eugene. It was finally resolved that a new council

should be assembled in some city either of France or of Germany, and that if Eugene and Felix could not agree in determining the city, it should be referred to Frederic. The diet of princes, which was held at Nuremburg, in 1442, sent ambassadors to Basil, to require the prelates to form a new council within the space of a year. New negotiations at Frankfort led to no other conclusion than that another council was necessary. In the meantime, Germany, entirely excluding the antipope, gave to Eugene, if not the rights, at least the honours of the legitimate pontiff.

The synod of Basil was now little more than an assembly of professors and university scholars. Hence the universities, and, amongst them, the high schools of Paris, even in direct violation of the command of the king, adhered with tenacity to the synod, and to its pope. But the assembly found itself too weak to undertake any thing of importance; a few sessions were held at long intervals, in the years 1441 and 1442, but only to exhibit signs of life. Dissensions soon arose between it and its creature the antipope. They would not once permit that the decrees should be published in his name, and he, weary of his continued dependence on these proud schismatics, retired to Lausanne, and answered their injunctions to return to them with loud complaints of the oppressive expenses which he was necessitated to incur, in embassies and other ways, although he received no income as pope. It appeared, however, that the Basilians had found a powerful support in Alphonsus, king of Aragon, who had conquered the kingdom of Naples; and, as Eugene had rejected his claims to this kingdom, had declared for the antipope. But even this last hope vanished at the reconciliation of Alphonsus with Eugene. The subjects of the king, and amongst them Tedeschi, archbishop of Palermo, the most learned canonist of the age, then left the council. Those who remained at Basil, held, on the 16th of May 1443, the forty-fifth and last session. It was then decreed that, in three years, or within a shorter period, if pope Felix should so desire, a general council should be held at

Lyons; but, in the meantime, the council of Basil should continue. A number of obstinate schismatics continued at Basil, and held several congregations; until a part of them, in consequence of the threats of Frederic III, withdrew to Lausanne.

SECTION VII.

GERMANY IS RECONCILED WITH EUGENE IV.—NICHOLAS V.—CALIXTUS III.—PIUS II.[*]

The various deliberations of the German princes had hitherto been productive of no other result than the conviction that the division in the Church could be closed only by another general council. But Eugene, who well knew the difficulty of convening such a council—who well knew the jealous dispositions of many ecclesiastics, and their inclination to make the superiority of councils over popes the war-cry of a new and all confounding contest, answered the ambassadors who had been sent by the princes with a refusal. One of these ambassadors was Æneas Sylvius Piccolomini, who had a short time before abandoned the council of Basil, and had entered into the service of the king Frederic. When, in 1445, he had come to Rome, the bearer of the commission to press the convocation of a general council, the pope pardoned him the part that he had taken in the hostile measures of the council, and gained in him a zealous defender of his rights. Two of the German electors, James of Treves, and Eugene of Cologne, had

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[*] Guil. Koch, Sanctio Pragmatica Germanorum illustrata; Argentor. 1789, 4to., with the Sylloge documentorum; Æneæ Sylvii, Historia Frederici III, in Koch, pp. 301-309; Ejusdem Epistelæ, in ej. opp. Basiliæ, 1571, fol.; Janotti Manetti, Vita Nicolai V., in Muratori, iii. p. ii. page 905; Joh. Ant. Campani, Vita Pii II, ibid. page 965; Joh. Gobelini, Comment. Rerum Memorabilium (of Pius). Francof. 1614, fol.

Georgii, Vita Nicolai V. ad Fidem Veterum Monimentorum, Romæ, 1742, 4to.

not observed a neutrality, but had favoured the antipope. They were, therefore, deposed by pope Eugene, who placed in their sees two relatives of the powerful duke of Burgundy. The electors then resolved, in an assembly at Frankfort, in 1446, that Eugene should be acknowledged as pope, only on condition that he received the decree on the superiority of councils,* convoke a council within thirteen months in a German city, and recall the sentence against the two archbishops. If he should

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* If this were a proper place, the falsity of this proposition,—that a general council is superior to the pope,—might easily be shown. Without, however, entering into a theological discussion, it may be allowed to state that the pope is subject to a general council only ;—1. If it be doubtful who is the legitimate pontiff, that is, when there exists a rational doubt, whether the person claiming the dignity of pontiff has been lawfully elected, or when two persons having been chosen by the electors, there is doubt of the validity of both elections. 2. If the pope, as *a private person,* should obstinately teach error in faith, he would then cease to be not only the head, but even a member of the Church. It is said, "as a private person," for we may fearlessly maintain it to be an impossible case that the pope, in his public capacity, speaking as it is said *ex cathedra,* should ever teach erroneous doctrines. The decrees of the fourth and fifth session of the council of Constance, to which the synod of Basil so often referred, imply the superiority of councils over the pope, only in the case of a doubtful pope or of a schism ; or if we grant that such were not the sentiments of the council, all must confess that these decrees were never confirmed by any lawful pontiff. When Martin V confirmed the decrees of the council of Constance, he sanctioned, as we have seen (p. 145), only those decrees that had been passed *conciliariter,* that is, with mature deliberation, and with the free consent of all the bishops. This was not the fact with regard to these decrees. They were proposed by the adherents of only one of the three contending popes, John XXIII, and vehemently opposed by the friends of the others, Gregory XII and Benedict XIII. The doctrine of superiority of the Roman pontiff has been, if not decreed, declared at least by many councils themselves. One testimony shall suffice, that of the eleventh session of the fifth council of Lateran, held under Leo X : "Cum solum Romanum pontificum, pro tempore existentem, tanquam authoritatem super omnia concilia habentem * * * nedum ex S. Scripturæ testimonio, dictis sanctorum patrum, ac aliorum Romanorum pontificum, etiam prædecessorum nostrorum, sacrorumque canonum decretis, sed propria eorundem etiam conciliorum confessione manifeste constet." See on this subject "De Primatu et Infallibilitate Romani Pontificis," auctore Laur. Veith, in which are ably refuted all the objections of Natalis Alexander and other Gallican theologians.—(*Transl.*)

refuse this, they would embrace the party of Basil and of the Savoyard. So confused and so weak had become the views of men, since the time of the great schism, on the relations of particular churches to their supreme head, that many now seemed willing, without regard to duty or right, to acknowledge him as pope who could the most powerfully intimidate them. As ambassador from the electors, Gregory of Heimburg, syndic of Nuremburg, was sent to Rome,—a man who boasted of his rude assurance and boorish haughtiness as German frankness and candour ; and who, in a writing, published about this time, directly encouraged the Germans to a schism, or, as it was then said, to a shaking off of the papal yoke. He received a short answer from Eugene, who would not enter into his affairs, but sent the bishop of Bologna, Thomas of Sarzana, the Spaniard Nicholas Carvajal, and Nicholas of Cusa, to Frankfort, where the electors had again met, in September 1446. To the same assembly came also, as ambassadors from Frederic, who was most decided in favour of Eugene, the bishops of Augsburg and Chiemsee, the margraves of Baden and Brandenburg, the chancellor Schlick, and Æneas Sylvius. The cardinal of Arles, who again appeared as plenipotentiary of the council of Basil, offered, on his own authority, to transfer that council (which, however, no longer existed) to a German city, or to convoke another in any more acceptable place. Gregory of Heimburg, and his companions, did not fail to paint Rome in colours of the darkest dye, and to represent the cardinals and popes as the enemies of the German nation, intent only on the aggrandisement of their court, and the degradation of the councils. The feeling of the diet of Frankfort was, therefore, hostile to the pope, until Sylvius gained over the elector of Mentz, by first drawing into his interest the advisers of the elector, and, in particular, his vicar-general, John of Lysura. He then presented a formula of accommodation, by which the conditions proposed by the electors were modified, and in which it was promised to the pope that he should be recompensed for the loss which he had suffered in his

rights and revenues by the acceptance of the decrees of Basil. This formula was approved by the majority of the princes and electors: only Treves, Cologne, and Saxony resisted. Ambassadors from the princes and the king, amongst whom was Æneas Sylvius, went to Rome, to obtain a confirmation of the terms of peace, and to pay obedience to the pope, in the name of Germany. But, in Rome, many of the cardinals were opposed to the accommodation, by which the papal see was necessarily straitened, and a dangerous example was given to other nations. Eugene was, therefore, obliged to strengthen the party which was favourable to peace, by the creation of four new cardinals.

After long deliberations, the six cardinals who had been selected by the pontiff and the German ambassadors, concluded their negotiations. The pope engaged to convoke a council in one of five proposed cities, if the Germans could procure the consent of other kings and princes. With regard to the decrees of Basil, as they had been received in Germany, Eugene declared valid all that had been done in consequence of this acceptance, that these decrees might be used in as far as they would not clash with those of the future council; but that he would send a legate into Germany, who should regulate the observance and modification of the decrees, and who should conclude a treaty for a provision to be made (instead of the annates) for the apostolic see. The two deposed archbishops were to be restored to their churches. Greater difficulty was found on the subject of the superiority of general councils over the pope, the acknowledgment of which the German ambassadors at first required: they, however, soon after declared that, leaving aside the resolution of the council of Basil, the decree of the synod of Constance was amply sufficient; and Eugene, in his bulls, pronounced that he acknowledged and honoured the authority and dignity of the council of Constance, and of every other council which represented the universal Church; and that he received the canon of Constance on the frequent convocation of councils. In a bull which he issued at this

time, he declared, that by these concessions which he had made to the Germans, he had surrendered nothing of the rights and authority of the apostolic see. The ambassadors presented their obedience to the pope, who was then lying on the bed of death. This reconciliation was celebrated at Rome with solemn and public rejoicings, over which a gloom was cast by the death of Eugene, who died sixteen days after its completion, on the 23d of February 1447.

Thomas of Sarzana, bishop of Bologna, whom Eugene had a short time before created cardinal, that he might more easily negotiate the desired peace with Germany, was elected as his successor. He took the name of Nicholas V, and immediately confirmed the terms of reconciliation. He openly confessed to the German ambassadors that the council of Basil had shortened the arms of the apostolic see; but that the popes themselves had drawn these attacks upon their authority, by their immoderate contraction of the power of the bishops. The electors of Cologne, Treves, Saxony, and of the palatine, had at this time formed a treaty with the French and English at Bourges, for the extinction of the schism. They all unanimously acknowledged Nicholas V as supreme pontiff. They endeavoured to persuade the Savoyard to abdicate his assumed power. The council, the convocation of which they wished now to obtain from the pope, was to be held, in accordance with the will of the king of France, in his dominions. In a congress at Lyons, negotiations were opened with Felix and the deputies of the Basilians. Besides the elector of Treves and the German plenipotentiaries, there were present ambassadors from the kings of France, England, and Sicily. Negotiations were carried on, at the same time, at Lyons and Geneva, where the antipope held his see, and at Tours, where the king of France resided; and were protracted to great lengths, on account of the exorbitant demands made by Felix. The ecclesiastics, who still persevered in forming a council at Basil, were compelled to depart from that city, which Frederic threatened with the ban of the empire, unless it should

expel them. They continued, however, to act the same part at Lausanne. In April 1449, the affair was at length terminated. Amadeus exercised one more act of his imaginary authority, by confirming, in two bulls, the decrees regarding discipline which had been made during the schism: he removed all censures, and declared valid all the collations of benefices granted by Eugene and by those in his obedience. Nicholas did the same in regard to the adherents of his adversary, whereupon Amadeus, in a session of his synod of Lausanne, resigned his pontifical dignity. Even this synod was unwilling to be placed into the tomb without paying to itself the last honours. It removed the censures which it had passed during the schism; it declared all the ecclesiastical acts performed during that period valid, and confirmed the election of Nicholas V. It named Amadeus cardinal-bishop of Sabina, and perpetual legate in Savoy, Piedmont, and in the neighbouring dioceses, and then dissolved itself. Nicholas approved of all that had been promised to the antipope, and received into the sacred college all those whom he had made cardinals.

In Germany, the assembly of princes at Aschaffenburg, in July 1447, had sanctioned the treaty which had been concluded with Eugene, and decreed that the compensation, which was to be made to the pope, should be confirmed at the next diet at Nuremburg. This was not done. But, in the beginning of the year 1448, a compact was made by the papal legate, the cardinal Carvajal and king Frederic, with the consent of many of the German princes, similar to the concordat of Constance, and which conceded to the Roman see rights over the German Church, greater than could have been expected after the recent adoption of the decrees of Basil. By this compact, Rome received the annates, which were paid by a moderate tax; and in addition to the reservations contained in common law, the provision of appointing to smaller benefices which became vacant in the alternate months of the year. Bishoprics were to be filled by canonical election: but if this did not take place within the legal time, or if it

were not confirmed by the pope, he should nominate the new prelates. To provide for so many ecclesiastical benefices at so great a distance, and in the necessary want of knowledge of men and of local circumstances, must have been difficult, and the object of such provisions must frequently not have been attained. It might have been beneficial to counteract that spirit of caste, and that pride of noble birth, which now reigned in the German chapters: that it was not so, and that seventy years later, when the storm of the new doctrines burst over Germany, hundreds of beneficed ecclesiastics fell, like seared leaves shaken from the tree, are facts that must be attributed chiefly to the manner in which many of the succeeding popes, in thoughtless security, exercised their rights.

Nicholas V died in April 1455. His great merit was the zeal with which he nurtured the rising study of Christian and classic antiquity. Amongst his secretaries, he numbered the most learned men of the age,—Poggio of Florence, George of Trebizond, Ilario Biondo, Leonardo Aretino, Antonio Loschi, Gianotto Manetti, and Francesco Filelfo. He collected together from all parts of the world valuable manuscripts, and procured translations to be made of the Greek fathers and classics, and thus laid the foundations of the famed library of the Vatican. He either built or restored more than forty churches in Rome.

His successor was the cardinal Alphonsus Borgia of Xativa, in Valencia, who named himself Calixtus III. His exaltation had been foretold to him by St. Vincent Ferrer, and he had therefore, whilst cardinal, vowed to combat with all his force against the Turks, and, if possible, to wrest again from their hands the recently conquered city of Constantinople. When raised to the pontificate, he renewed the proclamation made by his predecessor, in 1453, for a general crusade: he sent his legates into every Christian country to reconcile princes and to preach the cross. To prepare and to maintain a fleet against the Turks, he alienated the jewels of the Roman Church, and the manors of the

ecclesiastical states. But his glowing zeal for the common cause of Christendom found no response in the courts of Europe. In Germany, fruitless diets were held, and a portion of the German clergy, sunk in indolence or in avarice, cloaked their opposition to the tithe, which the cardinal Carvajal endeavoured to levy in support of the crusade, under the pretext of their zeal for the liberty of their Church. Calixtus stained his otherwise irreproachable character by his blind devotedness to his unworthy nephews, two of whom, to the great prejudice of the Church, he in one day raised to the cardinalate, and created the third duke of Spoleto and governor of the castle of St. Angelo. This act of the pope appears to have convinced the cardinals of the necessity of binding themselves, after his death, to an election capitulation, to which the newly elected pontiff should be bound to consent. This instrument provided, that the consent of the sacred college was necessary in the appointment of the courts, in the collation of bishoprics and abbeys, in the alienation of the papal territories, in concluding peace or declaring war; that the pope should reform the courts, continue the war against the Turks, and grant to no sovereign the nomination to the bishoprics of his dominions.

In August 1458, Æneas Sylvius Piccolomini was elected pope. He was born at Corsignano, and was the son of a noble who had been banished from Siena. This highly intellectual man had before been attached to the council of Basil, and, for a short time, to the antipope Felix. He afterwards became the secretary of king Frederic of Germany: he was placed by Nicholas V in the see of Trieste, and then of Siena, and when ambassador at Rome from Frederic, he received the cardinal's hat from the late pope Calixtus. He now took the title of Pius II. He acknowledged as king of Naples, Ferdinand, the natural son of Alphonsus, whom Calixtus had deprived of this kingdom, which, he said, had become a reverted fief, and as tranquillity reigned through his entire dominions, he was enabled to turn his principal care and exertions against the dangerous

enemy who threatened an assault from the east. He convoked an assembly of the European powers, which was to meet at Mantua or Udine, in 1459, to devise a general armament against the Turks. But the emperor Frederic did not arrive. So little did he heed this common cause of Christendom, that in his attempt to seize the crown of Hungary, he involved that bulwark of Europe in a war, nor did he listen to the pope until he had suffered a severe defeat. Pius found at Mantua only a few Italian princes: ambassadors from the transalpine courts came slowly. After long delays, he opened the congress, and it was resolved to exert every effort in the prosecution of the war. But the result corresponded not with the anticipation.

One consequence of the contest between the popes and the councils, and of the fall of the papal authority, were the appeals that were now made from the pontiff to a general council. Such was the appeal made by the clergy of the province of Rouen and of the university of Paris against the tithes which were levied by Calixtus in support of the Turkish war. Pius declared that the repetition of such appeals would entirely degrade the papal authority, and effect the dissolution of all ecclesiastical order, and that it was in itself absurd to appeal to a judge, who was not in existence, and to a tribunal, which, if the canon of the council of Constance were to be followed even to the letter, could be erected only once in ten years. With the consent and approbation of the ambassadors who were at Mantua, he issued a bull, by which similar appeals were for the future prohibited under pain of excommunication, and by which all such appeals that had been made, were pronounced null and void. But as Pius himself, when an official of the council of Basil, had defined the relations between the popes and councils, and had laid down principles on the limits of their mutual powers, but of the untenable nature of which he had long been convinced. even before he had been created cardinal; and as many persons referred him to these his earlier writings, he now considered it necessary to recall them, which he did, in

a bull to the rector and to the university of Cologne, in 1463. "He had," he said, "in his youth, being deceived and in ignorance like St. Paul, persecuted the Church of God and the apostolic see. Many may now say, thus wrote Æneas, who afterwards became pope, and may imagine that Pius II recognizes, and that the holy see approves, of all that Æneas wrote. But let them give no faith to those earlier writings, but believe and teach with him, that the pope receives supreme power over the whole Church, immediately from Jesus Christ, and that from him all power is imparted to the inferior members of the body of the Church."

The disappointment of the expectations which he had placed in the co-operation of the Christian powers did not damp the ardour of the pope. After a vain endeavour to persuade the sultan Muhammed of the truth of the Christian religion, by an epistle addressed to him, he resolved, as a last resource, to place himself at the head of an army against the Turks, who had now made themselves masters of Bosnia and Sclavonia. "It may be," he said, in his address to the consistory, "it may be that when the Christian princes of Europe behold their aged teacher and father, the pope, the vicar of Christ, a man advanced in years, oppressed by sickness and infirmity, subjecting himself to the privations of a foreign expedition, they will be ashamed to remain at home." An eloquent bull again summoned the princes and people to the combat: but the voice which three hundred years before rallied hundreds of thousands to arms and to perils, rung, in this age of slothful indifference and of disgraceful self-seeking, almost in vain. Now it was evident, and could not be denied, that the interested and narrow policy of the Avignonese popes, and the avarice of their courts, had converted former confidence into suspicion, ancient love and reverence into indifference, or into something worse. In June, 1464, Pius left Rome, to embark at Ancona, where the Venetian fleet was to meet him. He arrived in a state of ill health. His grief, at seeing the weak effects of this his last attempt, accelerated his disease, and he

died on the 14th of August of the same year, after he had conjured the cardinals to prosecute the war with all the powers of the Church.

SECTION VIII.

PAUL II.—SIXTUS IV.—INNOCENT VIII.—ALEXANDER VI.*

In the conclave at Rome, the cardinals drew up another election capitulation, which, in addition to the conditions contained in the preceding, obliged the pope to continue the war against the Turks, to confine the college of cardinals to twenty-four members, to admit to that dignity not more than one of his own relatives, and to convoke a general council. The cardinal Pietro Barbo, a nephew of Eugene IV, was elected, and named himself Paul II. To free himself from the observance of the above-mentioned conditions, he obtained an opinion from many learned jurists, that they would cease to bind as soon as they became prejudicial to the Church, and on which the pope alone was competent to judge. All the cardinals, with the exception of Carvajal, being either gained or intimidated by the pope, subscribed to this act of revocation; and Paul, who possessed in a high degree the weaknesses of little minds, a love of pomp and nepotism, bestowed upon three of his nephews the rank of cardinal. Of the con-

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* Pauli II Vita, (by Canese,) præmissis ejus Vindiciis, adversus Platinam aliosque Obtrectatores, ed. Quirini, Romæ, 1740, 4to.; Casparis Veronensis, De Gestis tempore Pauli II, in Muratori iii. P. ii. page 1025; Jac. Piccolominei, Card. Papiens. (died 1479) Rerum suo tempore gestarum Commentarii (1464-1469), cum ejusdem Epistolis. Mediol. 1506, folio; Francisci Carpesani, Commentaria suorum Temporum, (1470-1526), in Martene. Coll. Amplis. v. 1175; Jacobi Volterrani, Diarium Romanum, (1474-1484) in Muratori xxiii. 86; Stephani Infessuræ, Diarium Urbis Romæ (to 1494) in Muratori iii. P. ii. 1109; Burchardi, Diarium Curiæ Romanæ sub Alex. VI. in Eccardi Corp. Hist. ii. 2017; Guicciardini, Istoria di Italia. Venezia, 1567, 4to.

vocation of a council, he and his adherents thought the less, as, on the one side, the infatuated conduct of the council of Basil against Eugene IV, his uncle, terrified him; and, on the other, the late popes had surrendered the plan which had been proposed as a remedy to the abuses practised by the courts in the administration of benefices, and had carried the odious system of expectatives and commendums to such an extent, that at this period nearly all the abbeys of France were held in commendum.

Paul II abolished the court of seventy-two abbreviators, which his predecessor had formed from the officers who prepared the bulls on the collation of benefices. He was moved to this act partly by the complaints against the simony, which was practised in this court, and in part by the discontent of those officials who had not been admitted into it. Amongst these abbreviators there were many learned men and celebrated litterati, who did not conceal their indignation at the loss of their rich emoluments. Many of them were also members of an academy which had been founded by the famed Pomponio Leto, a scholar and disciple of Lorenzo Valla, the object of which academy was the revival of ancient classic literature: but so far was their zeal for every thing Roman driven, that they hesitated not to introduce many Pagan ceremonies. Thus they fell under the twofold suspicion of a conspiracy against the pope and apostacy from the true faith. They were seized, in 1468, examined on the rack, but were, after some time, restored to liberty. Under Sixtus IV, Pomponio reopened his academy. Platina, one of its members, revenged himself, in his "Lives of the Popes," by a prejudiced representation of the morals and actions of Paul II.

After the death of Paul, in 1471, began the days of woe and of scandal for the see of Rome. Even this, the apostolic see, could not preserve itself free from the prevailing corruption of the times, and men were now raised to the highest of ecclesiastical dignities, whom the primitive Church would not have admitted into the

lowest ranks of her clergy. The cardinal Francesco della Rovere of Savona, who had been professor of theology, and general of the Franciscan order, ascended the papal throne on the 25th of August 1471, with the name of Sixtus IV. One of his first acts was to raise two of his nephews to the rank of cardinal. Pietro Riario, one of these nephews, a rude impetuous youth, was immediately loaded with ecclesiastical benefices, with the richest bishoprics and abbeys in Italy, France, and Spain: he was governor of several provinces, and legate of all Italy; he surrounded himself with a court of five hundred persons, and died after a life of prodigality, leaving behind him a heavy accumulation of debts. The other, Raffaello Sansoni, was created cardinal at the age of seventeen, and had in his suite sixteen bishops. For his nephew Girolamo Riario, who had not embraced the ecclesiastical state, he designed to found a principality in the Romagna. To such worthless and purely worldly views was the ecclesiastical power of the supreme head of the Church made subservient: abuse followed abuse, and a dangerous confusion in the ideas of men on the nature of the ecclesiastical power and on the true position of the pope was the natural consequence.

The pope and his nephews were on many occasions opposed in their political designs by the Florentines, who were at this time governed by that shrewd politician Lorenzo dei Medici. The Florentines had, in a particular manner, supported Vitelli lord of Citta di Castello, against Sixtus, and the Medici refused to admit, as archbishop of Pisa, Francesco dei Salviati, who had been nominated by the pope. Hence Sixtus and his nephew favoured the conspiracy of the powerful family of the Pazzi against the Medici. The two brothers, Lorenzo and Giuliano, were doomed to be murdered: but the pope, according to deposition of the papal condottiere Montesecco, who had acted in concert with Sixtus, and who was afterwards executed by the Florentines, never approved of this design, but had always wished that the change in the government

might be effected without bloodshed. The attempt failed by the escape of Lorenzo. The conspirators, and amongst them the archbishop of Pisa, were immediately put to death. A vehement bull from the pope followed, in which the crimes of the Florentine rulers were enumerated. These were, alliance with the enemies of the Roman see, plundering of persons travelling to Rome, the murder of the archbishop of Pisa and of other ecclesiastics, the inprisonment of the cardinal Riario, and, finally, the tyranny of Lorenzo at Florence. He and the other officers of the republic were, therefore, declared void of all honour and right: their children and descendants were excluded from the ecclesiastical State,* and an interdict was placed upon the dioceses of Florence, Fiesole, and Pistoja.

The Florentines obtained the opinion of the most learned jurists, that they were authorized to appeal to a general council, and not to observe the interdict. A provincial synod was called to meet at Florence, the acts of which, written by Gentile bishop of Arezzo, are still in existence. It is, however, doubtful whether this synod ever assembled, and the acts appear to be no more than a project of the bishop of Arezzo. Sixtus and his allies, the king of Naples and the Sienese hoped to subdue Florence by force of arms. The war was indeed declared only against Lorenzo, and the pope wrote that his desire was to liberate Florence from its tyrants. But the people adhered firmly to their governor: a new bull, therefore, declared them excommunicated, and all intercourse with them was forbidden. But the French king, Lewis XI, now thought it time to proceed to the assistance of his allies. A French embassy arrived at Rome, and required, in the name of the Gallican Church, the convocation of a general council, and threatened, unless this should take place, the suspension of the

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* And yet the sons of the two Medici afterwards ascended the pontifical throne,—Leo X, the son of Lorenzo, and his cousin Clement VII, the son of Giuliano.—Giuliano was murdered, and Lorenzo wounded, by the conspirators, whilst hearing mass in a church at Florence.—(*Transl.*)

benefice taxes and annates; and, unless Sixtus should withdraw the censures from Florence, and punish the murderers of Giuliano, he menaced the restoration of the Pragmatic Sanction. The answer of the pope proves the position of the Roman court in relation to the more powerful princes, and how little particular Churches had to expect from Rome against the aggressions of the temporal power. Sixtus complained of the imperious and menacing tone that had been assumed against him, and insinuated that it would be better for many princes that the council should not assemble, as then their usurpations of ecclesiastical property would be fully exposed. Lewis might indeed have retorted with usury, upon the pope, his conscienceless squandering of ecclesiastical property, and the violation of all ecclesiastical laws, in the grant of the most important offices of the Church. But the terror which the capture of Otranto* by the Turks now caused throughout all Italy, and the return of the king of Naples, induced the pope to relent; and when the Florentines expressed to him, through their ambassadors, their repentance for the execution of the ecclesiastics who were involved in the conspiracy of the Pazzi, they obtained absolution in 1480.

With the Venetians also was this pontiff involved in similar strifes. He had allied himself with them to overthrow the powerful house of Este, from the possessions of which he designed to form a principality for his nephew Girolamo; but after some months he made peace with the duke of Ferrara, and with his ally the king of France. He and his nephew might fear the growing power of the republic, and the latter had been gained by the promises of the enemies of Venice. As the Venetians, therefore, carried on the war alone, the doge and

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* It is related that twelve thousand Christians were here made prisoners and slain by the Turks. Amongst these was the aged and infirm archbishop, who was sawn in two with a wooden saw. He died exhorting his people to prefer their faith to their lives. They obeyed the voice of their pastor, and eight hundred were martyred together in a small valley, which is still called the Valley of the Martyrs, at a short distance from the city.—(*Transl.*)

the heads of the republic were excommunicated by Sixtus in 1483, and their city and territory were visited by an interdict. They appealed to a general council, and their magistrates, in spite of the interdict, commanded the divine service to be continued: the few who disobeyed were banished. During the year following, the enemies of Venice concluded a peace with the republic, against the will of the pope. This intelligence hastened his death.

Not less happy was his administration in Rome. As his nephew had united himself with the Orsini, Sixtus embraced their party, and thus made enemies of the Colonnas and Savelli. Two cardinals of these families were confined in the castle of St. Angelo, whereupon the people threatened an insurrection, so that troops were called to Rome. The tumult, at length, rose so high, that entire streets were destroyed. The protonotary, Lorenzo Colonna, was, contrary to faith given, tortured and beheaded. Sixtus died on the 12th of August 1484, in the seventy-second year of his age.

In the conclave which followed the death of Sixtus, the cardinals endeavoured to prevent a repetition of a similar unhappy government, by another election act, although they thereby broke through an ordinance of Innocent VII, and although they knew that Paul II had before annulled one like to that which they now proposed. They wished in particular to save the States of the Church from becoming the prey of the papal nephews, but to provide, at the same time, for their own advantage, by the resolution that each cardinal should receive monthly a hundred ducats from the treasury, unless the revenue of his benefices amounted to four thousand. That the choice of a good pope would prove a more efficient remedy against excesses of this kind than the most diffuse election capitulation, appears not to have entered their minds. By promises of legations and of rich benefices, the cardinal John Baptist Cibo, a Genoese, gained the majority of votes—a man whose morals were such, that he had now a family of sons and daughters. Innocent VIII—this was his title—possessed

this advantage over his predecessors, who had involved Italy in war and insurrection, that he loved peace, and possessed a mild and placable character. But his mildness was weakness. He allowed himself to be governed by favourites, to whom he surrendered all things; and his chief object was to aggrandise, in every possible manner, his son Franceschetto Cibo. Rome, under him, was filled with murderers, who purchased impunity by gold, which formed part of the income of Franceschetto. Two men, Dominic of Viterbo, the papal secretary, and Francesco Maldente, who had issued false bulls, in which the most shameful crimes were said to be permitted for payment, were executed.

Notwithstanding his love of peace, Innocent was twice engaged in war with the faithless Aragonese, Ferdinand, king of Naples. In this war he displayed his weak and vacillating character. The peace, which was concluded in 1486 and 1492, and which imposed upon the king the payment of the ordinary tribute, was interpreted and observed by Ferdinand at his pleasure. To insure for himself a supporting power in Italy, this weak pope formed an alliance with Lorenzo dei Medici, the man who had been so vehemently attacked by his predecessor. He married his son to the daughter of Lorenzo, and conferred upon Giovanni, the son of Lorenzo, the rank of cardinal, although only a youth of thirteen years of age; but who had obtained no less than twenty-nine ecclesiastical benefices. Under the popes who now governed the Church, the ecclesiastical office, and the power of the supreme priesthood, were crushed beneath worldly influence. For the signs and forebodings of that mighty tempest which was soon to ravage Europe from one extremity to the other, and to shake the Church in its very foundations, they seemed to have neither eyes nor ears. They lived and acted as if all were well around them, and the anxious cry of the enlightened and devout for an efficient reformation, was treated as a murmuring spirit of complaining, or as an excessive and inexperienced scrupulosity. And perhaps it was an interposition of that divine Providence, ever watching over

the Church, which prevented these popes from frequently engaging themselves in ecclesiastical affairs. Innocent died on the 24th of July 1492. To fill the papal treasury, he had, after the example of his predecessor, appointed fifty-two officers for the expediting of bulls, each of whom paid two thousand five hundred ducats for his office. With the same views he had created other officials, to the amount of three hundred, and had raised the college of papal secretaries to the number of thirty. It was the interest of these curialists to invent new means of drawing money from the churches, and to oppose every reform of the courts.

But now came the time of the deepest affliction and degradation of the apostolic see. That which might well seem incredible did come to pass. A man of whose immoral, vicious life no one could have been ignorant, although distinguished by subtlety, eloquence, and activity in business, and in particular by his art of a machinating policy, was raised to the highest dignity in the Church, only because he had, by his boundless avarice, collected sufficient money to purchase the votes of the cardinals. Without external compulsion, without precipitation, and with full deliberation, fifteen of the twenty cardinals, who were then in the conclave, elected a man whose immoralities were notorious—a man whose character was so well known, that the few cardinals who had opposed his election endeavoured by flight to escape his revenge. Such were the cardinals who had given the former popes to the Church. It was the cardinal and vice-chancellor Rodrigo Lenzuola, of Xativa in Valencia, named Borgia, from his maternal uncle Calixtus III, who adopted him into his family, and created him cardinal in 1456, who now ascended the papal throne with the name of Alexander VI. He had lived, hitherto, it would seem, only for the indulgence of his passions, and for the aggrandisement of his children. For these ends he lived as pope; to these, every means —falsehood, treachery, murder, and poison,—were made subservient.

In 1494, Charles VIII, king of France, who had been

called by Lewis Moro, duke of Milan, and who had been excited against Alexander by the cardinal Della Rovere, marched into Italy to assert the right of the house of Anjou, against that of Aragon, to the crown of Naples. On the last day of the year, the king entered Rome with his army, and the distressed Alexander concluded a treaty with him, by which he promised him the enfeoffment of Naples, surrendered to him some fortresses of his dominions, and gave to him his son, Cæsar Borgia, as cardinal legate, but in reality as an hostage. With rapid success Charles conquered Naples: but now Alexander joined with Spain, Venice, the king of Germany and Sforza, to drive the French out of Italy. In a precipitate retreat the French king was compelled to leave the Italian peninsula, and left to Alexander and his son Cæsar leisure to expel or to exterminate the independent vicars and petty tyrants of the Ecclesiastical States. He had created this, his younger son, cardinal, but after the death of his elder son, the duke of Gandia,* whom Cæsar had caused to be murdered, he permitted his return into the secular state. Married to a French princess, and supported by the new French king Lewis XII (who, in gratitude for the dissolution of his marriage, had made him duke of Valentinois), Cæsar was enabled to found for himself a great principality in Romagna. He received the grant of it from Alexander in 1501.

It was remarked that most of the cardinals who had sold their votes to this pope, were made by him to repent of their deed. Through envy or suspicion, they were either murdered or imprisoned, or compelled to flee. Still Alexander was not impenetrable to every better feeling. The murder of his elder son terrified him: he resolved to resign his dignity, as his own evil actions had drawn down this judgment upon him. He commissioned six cardinals to establish a new order in his court and to reform the tribunals: he banished his

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* How different were these men from their holy successor, St. Francis Borgia, duke of Gandia, that bright ornament of the Society of Jesus!

children from his sight, commanding them to depart, and shed tears of sorrow in the consistory. He imparted his intention of resigning to Ferdinand, the king of Spain, who, answering him in general terms, advised him to weigh the affair maturely. But when his grief for the death of his son had passed away, he refused the plan proposed by the cardinals for a reform, under the pretext that, by it, the plenitude of his papal power would be contracted; and he lived as before.

But there were not wanting in the Church voices of chastisement and warning. The eloquent and venerated Dominican, Savonarola, preached against him at Florence, and conjured the sovereigns of Europe, especially Charles of France, to provide for the assembling of a general council: for, said he, a pope, whose whole life is an expression of the worst of infidelity, is no pope: the Church is without a head, and Alexander must be deposed by the council. Papal commissioners condemned him, for these words, to death, in 1498, as a heretic. With the same views Charles VIII had proposed questions to the university of Paris, which answered, that in the present absolute necessity of reform in the head and members of the Church, a general council, or if the other sovereigns should refuse their cooperation, a national French synod, was necessary. The early death of the king prevented his design. But the kings Emmanuel of Portugal and Ferdinand of Aragon made earnest representations to Alexander of the necessity of putting an end to his disgraceful scandals.

These exhortations were of no avail. Alexander, blinded by good fortune, continued his career: his son, the duke of Romagna, who was now to be made lord of the March of Ancona and of Umbria, added crime to crime, to the perpetration of which the father lent his hand. All his desires now appeared to be accomplished: the chieftains and barons were either banished or destroyed,—when Alexander died a sudden death, of a malignant fever, or—as it was at the time frequently asserted, and as the swollen state of the corpse seemed

to indicate—of poison, which had been prepared for a cardinal, and which was given to him by mistake.*

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* There is certainly much in the foregoing narration that must contristate the faithful Christian, who, when reading the lives of some of those who sat in the "chair of Peter," will have sighed for the times when the Leos and Gregories and other sainted pontiffs, were placed by the Holy Ghost to rule the Church of God. Still were these latter days not entirely dark, as many would wish us to believe. They were illumined by the bright virtues of many great saints, whose lives were worthy of the primitive days of Christianity;—the holy Francesca Romana, whose virtues are still embalmed in the veneration of the eternal city; the blessed Catherine of Siena, whose love of God was like that of the seraphim; the mortified St. John Capistran; the ardent St. Vincent Ferrer; the humble St. Francis of Paula, and St. Didacus; and a host of others in every state of life, from the throne to the cell, whose memories, like fair garlands, adorn the sanctuary of the Church. There were many things, it must be confessed, that called loudly for a reformation, and verily that reformation was effected,—if a desecration of things the most holy, if a violation of the most sacred of all obligations, if the rejection of truths that had been taught, and the rejection of usages that had been practised from the beginning,—if, in fine, the introduction of errors at the confessed suggestion of the father of lies, be a reformation: then was this reformation effected by Luther, by Calvin, and by Zuinglius. It will cheer us to emerge from this painful portion of our history, and to view the brilliant series of pontiffs who, for the last three centuries, have governed the Church—that Church which is truly "our spirit's guide... pure as the light, lasting as the world, we salute thee immortal Mother of learning, grace, and sanctity! Salve Magna Parens."—Digby's *Morus*, p. 327. It may appear to some readers that many things, said by our author, respecting some of the popes and their courts, are severe and harsh, and it must be confessed that many other historians of past centuries and of the present age, have thought themselves authorized to write in terms much more lenient. Of this the reign of Boniface VIII might be cited as an example. It has been the fashion to describe this pontiff as proud, overbearing, violent, and ambitious, to the degree, that he compelled his sainted predecessor by threats and intimidations to resign his dignity; and it has even been said that he procured his death. From these repeated charges of the greatest of crimes, his memory has been freed, it is presumed, in an able and learned article of a late number of the Dublin Review. It will there be seen, also, that Boniface was revered by his contemporaries for his many virtues, for his universally-acknowledged extensive learning, and for his patronage of learned men. Of him, as of many other popes, we are not to judge from our own times and history. They were placed in circumstances, and had to combat with men, that called forth all their energy; and we may be too ready to condemn as violence that which was no more than a necessary

SECTION IX.

PIUS III.—JULIUS II.—COUNCIL OF PISA.—LATERAN COUNCIL.—LEO X.[*]

To compensate for their past election, the cardinals, in 1503, placed upon the papal throne their worthy colleague, the cardinal Piccolomini, a nephew of Pius II. He took the name of his uncle. His first word, after his election, was, REFORMATION. He wished not, as it had been resolved in the conclave, to defer the council for two years, but proposed to enter at once into negotiations with the sovereigns for its immediate convocation. He intended also the instant reform of the courts: but, unhappily, his pontificate was of only twenty-six days. He was succeeded by a man of entirely opposite character, the warlike and conquest-seeking Giuliano della Rovere, a nephew of Sixtus IV, who took the name of Julius II. The object to which he directed his united forces and exertions, was the restoration, strengthening and extension of the States of the Church. For the accomplishment of this end, he possessed all those qualities which, at that period,

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firmness in the suppression of vice, and in the resistance to men who, in their ambitious and iniquitous designs, cared for no other right than what their swords or their evil machinations could give them, and who respected no divine or human law. Who, as we have been for ages told, was more persecuting, more vindictive, and cruel, than Gregory VII? Who more ambitious, more grasping, than Innocent III? And yet, whose memories have been more victoriously defended, and held up to our admiration, than those of these same two pontiffs?—(*Transl.*)

[*] Acta Concilii Pisani, Paris, 1612, 4to.; Acta Lateranensis Concilii, in Harduin. Collect. Concill. ix., 1561; Paridis de Grassis, Diarium Curiæ Romanæ, in Hofmanni, Collectione Nova Script. et Monum. tom. i., and in Raynald, Lettres du Roi Louis XII et du Cardinal d'Amboise. Bruxelles, 1712, 4 vols.

Roscoe, Life and Pontificate of Leo X (Tradotta e corred. di annotazioni, da L. Bossi, Milano, 1816;) A. Fabroni, Vita Leonis X, Pisis, 1797. 4to.

were necessary—political acuteness, courage, perseverance, and even military talents. As head of the Church he was below mediocrity; as a temporal prince, he was great. He was soon able to avert all apprehension on the part of the dangerous Cæsar Borgia, whose dukedom fell again under the immediate sovereignty of the papal see, as did also Perugia and Bologna. The Venetians had recently occupied the greater part of the sea-coast on the dominions of the pope, and had rejected the offers of peace which Julius made to them. He therefore, in 1508, formed with Maximilian of Germany, Lewis XII of France, and Ferdinand of Spain, the famed league of Cambray, which had for its object to humble Venice, and to divide its Italian territories. With the force of worldly arms an interdict was again united against the harassed republic, with this addition, that now those who were punished by the censure were deprived also of their civil rank. The appeal of the republic to a future council and to Christ our Lord, had increased the hostility of the pope. But when the Venetians beheld the strength of their enemies arrayed against them, their losses, and their threatened destruction, they sought a reconciliation with Julius, who now dreaded the rapidly-advancing power of the French in Italy. They had gained possession of Genoa and Milan. He wished to free Genoa, his native country, and to drive the French and all foreigners beyond the Alps. As soon, therefore, as the Venetians displayed signs of repentance, had withdrawn their appeal, had pledged themselves not again to assail the immunities, or to seize the benefices of the clergy, and to restore the invaded portions of his territories, he absolved them from their censures, in 1510.

Julius next turned himself against his vassal, Alphonsus duke of Ferrara, who had been guilty of many excesses, had invaded the sovereign rights of the pontiff, and had finally excited the indignation of Julius by his close connexion with France. Alphonsus was deprived of his fief and excommunicated. Lewis XII endeavoured, in vain, to negotiate: his own rela-

tions with the pope assumed every day a more hostile character. In 1509, Julius had offended the king by nominating to a bishopric, in Provence, a prelate who was not acceptable to Lewis, and who therefore, in revenge, seized the property of all the Milanese clergy who adhered to the court of Rome. The suspicion and indignation of Julius were roused against the cardinal D'Amboise, the friend and all-guiding minister of Lewis, whom in his bull against Alphonsus, he accused of having planned his succession to the pontificate during the life of the lawful pope, and of having sown discord between him and the French court. He now repented that he had granted to this powerful cardinal the dignity of papal legate over the whole of France. Lewis and Maximilian were enraged against Julius for having concluded a private peace with the Venetians; and although D'Amboise died in 1510, the breach between the pontiff and the French court continued to grow more and more wide. Lewis had sent troops into Italy to the assistance of Alphonsus, against whom the pope was at war; and now some of the cardinals pointed out to Lewis the part in which the pope was most easily vulnerable. In the conclave, Julius had bound himself by oath, as had all the other cardinals, to call a general council within two years; but other things had engaged his attention, and this was neglected. The cardinals, therefore, counselled the king to call a general council without, and even against, the pope. The cardinals Borgia, Carvajal, and Briçonnet, who originated this design, withdrew from the papal court: their colleagues, San Severino and De Prie, soon followed them: the cardinal Cleremont Lodeve was taken on his flight and confined in the castle of St. Angelo. The cardinals of Luxemburg, Final, Ferrara, Corneto, and D'Albret, either openly joined or secretly favoured this movement.

Lewis had already commanded the ecclesiastics who held benefices in his kingdom to depart from the Roman courts, under pain of forfeiture. In the Milanese territory, all the benefices of Roman prelates and ecclesiastics were sequestrated. In August 1510, the prelates of his

kingdom, and deputies from the chapters and universities, assembled at Orleans. This synod, which was in a short time transferred to Tours, replied to the questions proposed by the king. The pope had no right to make war against a foreign prince: such prince, to defend himself against such an unjust attack, might seize, for a time, the papal dominions; and for the protection of his temporal rights, might withdraw from the obedience of the hostile pope, and that then, in ecclesiastical affairs, ancient rights and the Pragmatic Sanction might be adopted, and the pontifical censures be considered as nothing. The synod, at the same time, resolved to send a delegation to the pope to dissuade him from unjust hostilities against the duke of Ferrara and the king of France; and to require him, if he should not listen to them, to call a general council, according to the decrees of the council of Basil. Thus, whilst the pope opposed with material arms the power of the French in Italy, and even placed himself at the head of an army, the French king assailed him with spiritual weapons: he prohibited to his subjects all intercourse with the papal see, and all transmission of money, and convoked another assembly of the French clergy to meet at Lyons.

Maximilian had, in the mean time, by the mediation of his ambassador, Matthew Lang bishop of Gurk, entered in a stricter alliance with Lewis. In a circular letter, dated the 16th of January 1511, he declared his resolution to exhort the pope, and, if he should refuse, the cardinals, to convoke a general council, which had now become essential for the pacification of Christendom, according to the ordinance of the council of Constance, and which the pope had bound himself to call. Plenipotentiaries from both princes, at Milan, in May 1511, besought the three cardinals, Borgia, Carvajal, and Briçonnet, to convene the council, which, on account of the haughty conduct of the pope and the melancholy condition of the Church, could be no longer deferred. They all expressed their readiness. In their own names, and in the names of the cardinals of Luxemburg, Este,

Corneto, D'Albret, De Pric, Final, and San Severino, they proclaimed that the council would be opened at Pisa on the first day of September, and protested, in anticipation, against all censures that might be pronounced by the pope. The three cardinals, not long after, publicly denied their assent to this step; but they afterwards,—at least San Severino and the cardinal of Luxemburg,—adhered to the council of Pisa.

Lewis, in his spirit of animosity, spoke of the deposition of the perjured pope; whilst the more temperate Maximilian employed his embassador, the bishop of Gurk, at Bologna, in negotiations, which, however, failed. In this serious posture of his affairs, Julius trusted for support principally to Ferdinand the Catholic, to whom he granted the investiture of Naples, and on an alliance which he had formed with the Switzers. To the cardinals he replied, that only the state of war in which Europe was plunged, and the unhappy condition of Italy, had prevented him from the fulfilment of his word which he had given to convoke a council. He now announced that the council should be opened at Rome, in April 1512. He then declared their act of convocation null. He treated the faithless cardinals with kindness, invited them, through the bishop of Alexandria, to return, and promised them full forgiveness. They endeavoured, on their part, to give an appearance of justice to their conduct. They declared that they had in no wise renounced their obedience to the pope; that he would have been received at Pisa with all the honours due to his station, and that his essential rights would not have been invaded. They thereby declared their adherence to the principles of the council of Basil, and to the plan of restoring in the Church the aristocratic form of government.

In Germany this undertaking met not with favour. Maximilian wished, indeed, the German prelates to take part in the council of Pisa; and, for that purpose, he summoned them to meet in a synod at Augsburg. All declined, and the abbot of Trittenheim earnestly besought him to interfere no more with the council of

Pisa, the convocation of which was contrary to all law, and from which only schism could spring. The king, however, represented to the Germans, in an address from the city of Gelnhausen, that, by the large sums of money which they had annually sent from Germany to Rome, they had nourished the luxury of the degenerate papal court, and that the council had the will as well as the power to remedy this evil. But he sent no representatives to Pisa, and hence the council, which was opened on the 5th of November, was almost exclusively French. The cardinals Carvajal, Briçonnet, De Prie, and D'Albret, assisted in person; Luxemburg, Borgia, and San Severino, by procuration. From France there were present two archbishops, fourteen bishops, deputies from the universities of Paris, Toulouse, and Poitiers, some abbots, and many theologians and jurists. The chevalier De Lautrec was appointed protector of the council, in the name of the king. Thus, as we have said, the council was almost exclusively French, and those who composed it were fully sensible that they were little more than the instruments of the policy and revenge of the French court. Lewis himself acknowledged to the Spanish ambassador that the council was no more than a manœuvre against the pope. Throughout Christendom, and even in France, it was asserted that this council, which boasted of itself that it was a general assembly of the Church, was, in fact, a schismatical conventicle.

The whole was a weak imitation of the precedent of the speeches and decrees of the council of Basil. It proposed to reform the Church in its head and members, and the assembly was to continue united until this reformation should be effected. The decree of the council of Constance on the superiority of councils was, of course, confirmed. But after the third session, the opposition of the citizens of Pisa, and the disapprobation of the Florentines, to whose dominions Pisa belonged, obliged the council to transfer its sittings to Milan. Here the number of bishops amounted to thirty. The pope, to whom they had named a number of cities in Italy, France, Germany, and Switzerland, for the con-

vocation of a general council, which was not to be held in Rome, or in the papal territory, was invited, and on his refusal he was pronounced contumacious, and his Lateran council was declared invalid. But even in Milan the members of the council were viewed as schismatics, and as persons excommunicated. When they entered the churches the divine worship was suspended: and when the cardinal dei Medici was conducted to Milan, after the battle of Ravenna, in which the Spanish and papal forces were defeated by the French, the French officers and soldiers, under the eyes of the council, implored from him absolution from the censures which they supposed they had incurred by their attack upon the pope. They solicited also permission to give ecclesiastical burial to their fallen companions. The French prelates desired likewise to return to their churches. The way was opened for them by the sudden downfall of the French power in Italy, which was caused, immediately after the victory of Ravenna, by the happy policy of the pope, by the auxiliary forces from Switzerland, and by insurrections in the hitherto oppressed cities. From Milan the prelates withdrew to Asti, and thence to Lyons, where they continued their title of an œcumenical council, but where they wounded their conciliar efficiency by requiring subsidies from the French clergy and from the university of Paris.

Julius had now deprived of their rank and excommunicated the schismatical cardinals. With the exception of Bretagne, he had laid all France under an interdict; and strangely forgetting the limits of his ecclesiastical power, he punished the city of Lyons by depriving it of the privilege of holding free markets, which had been granted to it by Lewis XI. He opened the Lateran council, which numbered fifteen cardinals and seventy nine bishops, which number was soon increased to one hundred and twenty (principally Italian) bishops, on the 10th of May. At the third session the bishop of Gurk arrived as the representative of Maximilian, to recognize the council. The transactions and decrees of the fifth session, which was continued till the death of

the pope, were directed principally against the Pisan synod and the Pragmatic Sanction in France. Julius died in February 1513. On his death-bed he declared that as Giuliano della Rovere, he pardoned the schismatical cardinals, but, as pope Julius, he must condemn them. Of the sorrow which he is said by French historians to have expressed for his martial disposition and actions, Italian writers make no mention.

The intelligence of the mortal illness of Julius reawakened in Maximilian the wonderful, but previously entertained, project of procuring his own election to the papal throne. That this thought could have arisen within him, we can understand only by recalling to our memory the then prevailing worldly and political purposes to which the papacy was made subservient, and by which its ecclesiastical importance was overwhelmed and darkened. But this design was never accomplished. As he was a widower, there appeared to him to exist no essential impediment, and the cardinal Corneto, to whom he imparted his intention, favoured it. He had already commissioned the bishop of Gurk to hasten to Rome, immediately after the death of the pope, to secure the votes of the cardinals. The necessary supplies of money were to be furnished by the wealthy Fugger of Augsburg. Through his ambassador, the bishop of Gurk, who had been created a cardinal, he requested the sick pontiff to appoint him his coadjutor. This Julius refused.

The cardinal Giovanni dei Medici, who was not yet thirty-eight years of age, was elected, and took the title of Leo X. The Lateran council was continued: the refractory cardinals submitted and were pardoned, and a reconciliation to the Roman see was made easy to France. Lewis, who had suffered severe losses in Italy and in his own dominions, and who beheld the general contempt into which the synod had fallen, was found ready to come to an accommodation. He renounced and abjured all connexion with his council, and promised to oblige it to dissolve, and to provide for its dissolution, by sending six of its prelates and four doctors to Rome to obtain absolution. He declared his adherence to the

council of Lateran, and engaged to commission some bishops of his kingdom to take part in its proceedings. Many circumstances conspired to prevent their journey. But the Pisan synod vanished, and left behind it no trace of its boasted work of reformation.

At Rome the attention of the prelates was directed to decrees of reform, by which the decay of ecclesiastical celibacy and morals, and the endless abuses in the system of benefices, might be met and corrected. But the majority of the bishops displayed no earnest zeal, partly because they shuddered at the extent of the evil, and partly because many of them did not acknowledge the real sources and foundations of the evil, or because they dreaded to cut with a sharpened weapon into this now old and deep-rooted corruption. Least of all would a pontiff like the splendour-loving and magnificent Leo* interrupt the pernicious and odious traffic of the tribunals. The bishops contended with the cardinals on the exorbitant privileges which the latter either enjoyed or assumed: they insisted upon the abolition of the many exemptions of the religious orders, without thinking that the reform of the bishops themselves, and of the

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* We may, perhaps, be permitted to insert here the character of Leo X, drawn by that profound historian, Audin, in his Life of Martin Luther. "Had Julius II. been in the place of Leo, he would have been inflexible. He would not even have listened to the voice of the innovator, but would at once have imposed silence on him. Does it not seem as if Providence had placed upon the papal throne a pontiff like Leo;—'a lamb in the midst of wolves'—'a Daniel in the lion's den—an Ezechiel in the midst of scorpions'—a pontiff, whose morals were so pure, that the breath of calumny has not dared to sully them—that this revolt [Luther's] might have no pretext to justify it before the world? And yet there were found men like Hutten, who, when Luther cried out 'Antichrist,' re-echoed the exclamation. Leo X, Antichrist! What folly! Providence, who watched over its work, determined that this pope, who was an angel of mildness, should also be an angel of light, that thus the reformers might not be able to accuse him of loving darkness. And yet has it not been said, and is it not daily repeated, that but for Luther, the world would still be involved in darkness?—While Luther was disputing on indulgences, Italy produced an epic poem!"—History of the Life, Writings, and Doctrines, of Martin Luther (for which his departed spirit will not thank the author), p. 142, American Translation.—(*Transl.*)

secular clergy, was much more needful. In the end the decrees for reform regarded principally things of minor importance: they confined the number of commendums, the exemptions from episcopal jurisdiction, and the plurality of benefices: they forbade the translations of bishops against their will, approved of the ecclesiastical censure of books, obliged the cardinals to reside at Rome, interdicted all invasions of ecclesiastical immunities and goods, and renewed many ancient canons against simony, on the qualities requisite in those who were destined to be promoted to the orders of the Church, and lastly, on the frequent celebration of provincial synods. How little these measures could satisfy the extreme wants of the times, the world was too soon told.

During the sittings of the council, Leo met at Bologna the young and victorious Francis I, who, in a brief space of time, had re-established the ascendancy of the French arms in Upper Italy. At Bologna, the abolition of the Pragmatic Sanction and the Concordat, which regulated the relations of the French Church, were concluded. They were afterwards confirmed by the council. It then seemed to the pope and to the cardinals that the object of the council had been accomplished, and that the danger of a schism had disappeared. On the 16th of March 1517, the last session was held. It was in vain that the general of the Dominicans, Thomas de Vio, of Gaeta, who saw the approaching tempest, implored the council to continue. The pope and the cardinals flattered themselves that on the side where he apprehended danger they were secure.

END OF VOLUME THE FOURTH.

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